

Minutes of a Regular Board Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York on Tuesday, August 2, 1988 at 7:30 p.m.

Present: Monique Gablenz, Deputy Supervisor
John Lombardi, Councilman
Louis Boschetti, Councilman
Robert Pike, Councilman
Denise Civiletti, Councilwoman

Also Present: Patricia Moore, Town Attorney
Irene J. Pendzick, Town Clerk

Deputy Supervisor Gablenz called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

Councilman Lombardi offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that the Minutes of Regular Board Meeting held on July 19, 1988 are hereby dispensed and without objection approved.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

Deputy Supervisor Gablenz, "Supervisor Janoski has been hospitalized. And therefore, as Deputy, I will preside over the meeting. Mrs. Pendzick, would you read the Reports."

REPORTS

Police Department-Month of June, 1988.

Filed

Conservation Advisory Council-Minutes of 7/20/88 Meeting.

Filed

Planning Board-Approval of major subdivision of Gabrielsen Estates, Section I.

Filed

Building Department-Month of July, 1988.

Filed

Open Bid Report - Tennis Courts - Recreation Department.

Filed

Bid Date: August 1, 1988 at 11:00 a.m.

4 Bids submitted

#1 NAME: SOUTH FORK ASPHALT CORP.

ADDRESS: EASTHAMPTON, NY

TOTAL BID: \$21,600/Jamesport Facility
\$21,000/Stotsky Park Facility

REPORTS, Continued

#2 NAME: JOHN C. ANDERSON
ADDRESS: JAMESPORT, NY
TOTAL BID: \$22,850/Jamesport Facility
\$20,475/Stotsky Park Facility

#3 NAME: PAUL COROZZINI & SONS
ADDRESS: GREENPORT, NY
TOTAL BID: \$18,300/Jamesport Facility
\$18,300/Stotsky Park Facility

#4 NAME: BIMASCO, INC.
ADDRESS: HAUPPAUGE, NY
TOTAL BID: \$24,000/Jamesport Facility
\$24,000/Stotsky Park Facility

Open Bid Report - Stotsky Park Restroom Facilities.

File

Bid Date: July 21, 1988
4 Bids Submitted

#1 NAME: NATIONAL CHAIN DEVELOPERS, INC.
ADDRESS: BOHEMIA, NY
TOTAL BID: \$112,790.00

#2 NAME: CONNECT-QUICK ASOCI., INC.
ADDRESS: BAYPORT, NY
TOTAL BID: \$199,000.00

#3 NAME: GARRETT CONSTRUCTION & CONTRACTING
ADDRESS: OAKDALE, NY
TOTAL BID: \$105,711.00

#4 NAME: JAMES MCCULLAGH CO., INC.
ADDRESS: PLAINVIEW, NY
TOTAL BID: \$119,560.00

Deputy Supervisor Gablenz, "Applications please."

APPLICATIONS

Site Plan-Parvis Farahzad for a two-story office building on West Main Street, Riverhead. Fil

Site Plan-Additive Products for 16,880 square feet addition, West Lane, Aquebogue. Fil

Deputy Supervisor Gablenz, "Thank you and Correspondence."

CORRESPONDENCE

Theresa Troyan-Expressing thanks to Riverhead Drug Abuse Prevention Council and the Town Board for her service to C.A.P. and especially Nancy Binger. Fil

S.C. Dept. of Planning-Advising that amendments to Section 108-80 must be submitted to S.C. Pine Barrens Review Commission before review can commence. Fil

Gorden Danby, 8/2/88-Supports designation of Riverhead wetlands as critical environmental areas. Fil

Allen M. Smith, 8/2/88-Unqualified support for 4-year term for Supervisor. Fil

Deputy Supervisor Gablenz, "We have before us this evening, seven public hearings. So I am sure there are many people out there who wish to address the Board. So I ask if you could conform to the five minute limit as closely as possible. The hour for the first public hearing has not yet arrived. Dr. Grantham, would you like to address the Board?"

Dr. Grantham, Sound Avenue, "Members of the Town Board and the acting Supervisor, good evening. I'm here to speak to you tonight on the matter of historical concern to me. I will give you after I finish, a copy of the statement that I will read from the newsclip that we published some years ago. You probably have been watching in the papers as I have had over a couple of years, the efforts of another neighboring community to preserve a matter of historic interest. Namely, the Big Duck. And the efforts of that whole surrounding area, has made to preserve this piece of memorabilia. The New York Times and the New York Press and the Long Island Press as well as local papers, have carried this story. And I read it thinking; oh my god. Twelve years ago to exact, almost to this month, a number of us in the Town of Riverhead were involved in the dedication of the Little Taft Candy Store, namely, the information booth in downtown Riverhead. I don't know as you know, the history of that. But it took a great deal of love and care and effort and fundraising. And at the time, it was terribly needed. The year before there had been an information booth or an attempted one on the circle, as you know, near Howard Johnson's. There was no place to park. It was just a very unusable situation. The present

PERSONAL APPEARANCES, ContinuedDr. Grantham, Continued

supervisor that day was very excited about it. It was a time, it seemed as if the moment had come in history for us to do this. It was the bicentennial year. So many many things happened that year. You probably know we had house tours, walking tours. We made all efforts to save these buildings. We tried to begin to emphasize the really historic value of that beautiful river. We inaugurated Townscape. I was one of the ones that was in the original effort to get that funding. And we looked with great pride at this river. And I must say through the years, I've been deeply and considerate and continually concerned about the lack somehow, of progress. We worked so hard. And now twelve years later, I've seen the Supervisor twice, I've had so many calls from family and friends about that little building. I'd like to read you from, just briefly, this was a news clip dated Friday, May the 7th, 1915 in the News Review. And it's very short and I'll read it to you and I'll give you a copy afterward which has other information about the preservation society. Anyway, this was the headline, "A Real Void now stands where the Candy Store once stood". It seems queer indeed that not to drop in and see Justice Taft and buy a confection. All of Riverhead and scores of people from all over town will miss this unique little building. It stood in front of the Riverhead Savings Bank and so long occupied by the late Justice Taft as a fruit and confectionary story. With the passing of Justice Taft, also came the passing of this building, said by travelers, to be one of the most unique and the most unique place of any building they have seen anywhere. I'm quoting of course. When the late Justice Taft met with reverses many years ago, (quote) the Savings Bank people (end quote) did a mighty nice charitable act for a fine old man. They allowed him to erect a little building in front of their imposing structure where he did business year after year and more than partially recovered his losses. This was a fine stand for business managed by a genial and courteous gentleman who was never too busy to chat with all who wished and being well read and posted on all topics. It was only natural that scores of people daily read, stopped to enjoy his pleasant society. In fact, he became a firmly affixed habit of many affairs to stop there for a moment while waiting for the mail to be sorted and to enjoy some of Mr. Taft's luxuries as well as to chat. And there were other elderly man who found it a snug harbor for a few moments waiting for a domino game to start in the rear of the National Bank. And I parenthetically say here, that Judge Stackpole whose daughter I knew so well, said that the day could never start without that. That was the center of this town both socially, businessly and professionally. In fact, marriages were consummated there, were held, were solemnized there as well as business taken and also court held in that little building. I'll continue. Yes, taking it by large, this pretty little building will be greatly missed by many men of many different classes. There was a void. There will be a void where this building stood as well as a void in the hearts of all those who loved Justice Taft for his many fine qualities. The sidewalk seems queer without this building there and it seems queer not to see this gentleman pottering around among his fruit and candies or tinkering with his electrically managed peanut roaster. And it seems queerer still not to be able to drop in to the Post Office and

PERSONAL APPEARANCES, ContinuedDr. Grantham, Continued

step up to his famous stand and say; a chocolate or something to chew on. The Savings Bank could have obtained good rent for that location. But it was a site occupied by Justice Taft only throughout his honorable life. Then it must go. The bank decree henced early last Monday morning after the building had been sold to Frank Yeater. It was loaded on a wagon and carted to the fair grounds it will undoubtedly continue its well ordered life in the center of a crowd designed to buy candy, peanuts and soft drinks. We were apprised of that building found on the I.M. Young's property and said; unless it's saved, it's being so vandalized, it is going to be totally destroyed. So that very year which is so appropriately, we made that effort. I'd like to tell you a little bit about it. So many hands, so much love and care and attention went into that. We raised the money. It came from all over in small donations. The school, Boces, did the work. The town, with great support from the Supervisor and the then Board members, moved the building and built the foundation. And indeed about twelve years ago this very month, participated in its dedication. I submit that if this is all that our memorabilia and our history means to us, then we are in for a great deal of trouble. And I have been concerned that citizens work so hard and then have efforts seem to be dissipated like this. I do believe there are many of us who feel that there's enough talent in this town, enough creative ability in this town, enough care in this town to run that building. If the position is not the best, we're not wedded to that site. To keep it, to use it, to let it come a part as it always was, of this community. That park is our greatest asset. The Helen Amond Park dedicated in 1984. And this is only part of that effort. I was there one time since I went to to that school and I feel very sad to see this building sit there forlorned and abandoned. I am a history major. I have a doctorate in history. And it said you know, if you do forget your past, what kind of guidelines do you have for your future? Thank you."

Deputy Supervisor Gablenz, "Thank you. Yes."

Henry Pfeiffer, "Good evening ladies and gentlemen. I'm quite concerned, I have heard that proposal to have all public testimony pertaining to change of zone applications be given under oath is being considered by the Town Board. The rationale is that some people have spoken unjustly about certain applications or past hearings. They may have decried, introduced or said something naughty about certain developers or their plans. And that swearing in of persons before testimony is given, will keep applicants of being falsely accused. I sincerely doubt that additional protection for such applicant is needed. Almost without exception, applicants are represented by attorneys at law, competent lawyers practicing in such transactions, knowledgeable in the instance subject, armed with a complete current file and extremely articulate. The applicant or his lawyer in the course of the process, presents his case at a public hearing and is permitted to respond to any and all issues effecting the application. Those in opposition are usually affected by the owners who are confronted for the first time with what they deem to be a threat to their lifestyles. Their testimony is what they perceive real or imagined, but it is sincere. Developers are reaping

150

PERSONAL APPEARANCES, Continued

Henry Pfeiffer, Continued

the benefits of recent United States Supreme Court decisions that have strengthened their right to build and weaken local government's power to stop or regulate them. Recently there has been a rash of lawsuits brought by certain developers against laymen who have had to famaridate the voice of opposition to a developers plan. Often frivolous, such legal actions are costly to the defendant and money, time and stress and may be seen as a form of indefensible harassment. The developer needs no more advantage. The swearing in process with a tinfly threat would further intimidate the laymen and preclude the Board from receiving all relevant information concerning an issue. Traditionally, one thing has favorably distinguished the Riverhead Town Board meetings; freedom of exchange of ideas of access by its residents through the podium and open forum and by their apparant willingness of the Board members to listen to real or perceive injustice or problems. I feel comfortable at public forums such as these. And I sincerely hope that the Board maintains its reputation for openness and receptiveness to all views by tabling such proposals forever. Thank you."

Deputy Supervisor Gablenz, "Thank you. Mr. Haizlip."

Steve Haizlip, Calverton, "Mr. Pfeiffer just got up and said a very good thing and I go for it and I like it. I don't like the idea of having to come up here and being sworn in to express my feelings for what is being developed or what public hearing is going on or how I feel about it. That's number one. May I continue or am I going to have to..?"

Deputy Supervisor Gablenz, "Sure go ahead."

Steve Haizlip, "I want to bring up the point about a subject that I read in the paper about the motor vehicle department and the traffic judges. Now, it goes on to say in this report that the East End towns do not go under this type of traffic harassment. They've got D.M.V. personell sitting in and fearing the judge, intimidating him and so forth. But the part I like about this or should I say, I don't like about this, is that this fellow Jackson, he says that 95% of the people who come through that door has got to be convicted. Now, this sounds like to me what Mr. Ginsburg said when he was issued a ticket at a beach and called him a violater. He's already guilty before he even has a chance And these people are going into this court. They're already guilty because maybe 5% of them are going to be convicted automatically according to this guy Jackson. So I have a little trouble expressing myself and clarifying and defining what I'm trying to say. But we're getting that Copiague area up there of Suffolk County courts are getting brow beaten. The judges, the people. And I thank goodness that we have a system out here in the five East End towns where you don't get brow beaten and we can go before the judge and there's no D.M.V. officials or no town officials in there threatening the guy and you can go on about it all the time."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else who wishes to address the Board on any matter? Yes ma'am."

PERSONAL APPEARANCES, Continued

Elisa Reardon, "I am a member of the Communication Workers of America. I represent employees that work at 400 West Main, Street, the New York Telephone Company building here in Riverhead and I'd like to speak about resolution 524 which I understand is a resolution that would declare the Suffolk County law that was recently passed on video display terminals invalid. I am a little bit confused as to how a Town Board would be able to declare a county law invalid. I realize that there are many many people in this county who don't necessarily agree with the law but I question as to a town's right to supercede a county law. As we're probably all aware from reading the local papers as well as the Newsday and New York Times, there has been a lawsuit filed by businesses in this county who disagree with the law. It is our belief that that is the proper method in which to declare a law invalid should the judge and courts decide to do so. I am here because I represent a large number of employees who do sit in front of video display screens in your town. The county acted on that legislation after many many months of expert testimony on both sides of the issue. And I think that if this town should consider or even consider jumping into the VDT issue, you should also look at that type of testimony should you decide that that's where you want to go. But we do question as to how the town would have the right to supercede a county law and really would urge that the Town Board seriously look at the consequences of getting involved in such an issue which I'm sure would only open up to more lawsuits and more problems on a town level. I realize another town this morning acted on the same type of legislation with Brookhaven Town and passed a similiar resolution this morning. Again, it's not something that we feel best represents the people who live in this community. I thank you for your time."

Deputy Supervisor Gablenz, "Thank you very much."

Councilman Pike, "Mrs. Chairman, I'd like to respond to that. We were presented some time mid-afternoon by hand delivery, a copy of this resolution. To my knowledge, the proponent of the resolution, Supervisor Janoski, his signature is on the letter that accompanied it. Also to my knowledge, there is no second person on this Board who is willing to move it today. I am also a practicing attorney as is Ms. Civiletti. We've both taken a look at the law and it's our immediate legal opinion that it would have no legal effect whatsoever. It will not be acted on tonight."

Deputy Supervisor Gablenz, "If I could just say that the concerns of the Supervisor are one of a financial position. We have been told that there is one industry, one data industry that was considering moving to the Town of Riverhead, had met with the Supervisor. And once the Suffolk County VDT law had been put into effect, was no longer locating in Suffolk County because of the expense. It is merely a financial position as far as the Supervisor is concerned because he is responsible for the financial situation of the Town of Riverhead and all the residents of the town. If it is the opinion of the Town Board that they are not going to move the resolution, then so be it."

PERSONAL APPEARANCES, Continued

Councilman Pike, "If I might. The financial prosperity of the Town of Riverhead is not served by false promises. And this, if it were promised as being helpful to bring a business in that would otherwise not be able to because of the VDT law, it is a false promise. It has no legal impact and it is a waste of energy and time."

Deputy Supervisor Gablenz, "Well, the consideration of some of the towns is the question of home rule and whether the county has the right to impose upon the towns legislation which they might not support or they may not have even been asked their opinion on. And that was one of the concerns. Thank you for your comments. Is there anyone else who wishes to Address the Board? Mr. Haizlip."

Steve Haizlip, "Just a quick follow up. I wanted to make the Board aware that on this particular case or situation, I have sent letters to Governor Cuomo, Mr. Halpin and Patricia Abbaducci and a member of this Town Board. Thank you."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else wishing to address the Board? Mr. Kasperovich."

William Kasperovich, "Are we going to have citizens' remarks after the public hearing?"

Deputy Supervisor Gablenz, "Well, I'm trying to take most of them now unless you have a comment that you..."

William Kasperovich, "Well, you're supposed to follow by the agenda."

Deputy Supervisor Gablenz, "We don't have the first public hearing tonight until 8:05."

William Kasperovich, "As you have heard me gripe about it many times here that the public does not get the resolutions in reasonable time. These resolutions are not posted for the public such that they can digest it or peruse the resolution and come up here and speak as they honestly feel. It's very nice to come up here and wave the American flag and say that we have freedom to address the Town Board. But the gentleman was not removed physically by the Police Captain from this podium for no justifiable reason whatsoever. Intimidation and harassment to keep people from up here has been a common practice for many years by your beautiful Supervisor. You sit up there to defend him, you ought to come here and see how he conducts himself and then have the nerve to get up there and chair this Board which I feel should be chaired by an elected official. So your presence here is honorary and I wish you'd behave accordingly."

Deputy Supervisor Gablenz, "Mr. Kasperovich you told me this the last time."

William Kaspereovich, "And I'll tell you until they put me in a coffin because I'm right."

PERSONAL APPEARANCES, ContinuedDeputy Supervisor Gablenz, "Thank you."

William Kasperovich, "No you don't have to listen to this. And if you have got something better to say, stand up here and say it but don't mumble out in the audience. I wish to comment on several resolutions. One of which is the Architectural Review Board. On page 7, you refer five members will be appointed by the Town Board on the recommendation of the Planning Director. Since when the h--- does the Planning Director tell the elected Town Board what they should do or appoint? You refer, it says here; three members shall be architects, designers or landscape architects. For anybody to call himself an architect and act as such, is illegal in the State of New York. So unless he's licensed, he can't be an architect. This probably applies to landscaped architect but I'm not too sure of that. Then the last sentence you say; one shall be a licensed architect. Well apparently you people don't know that there are licenses and licenses and might be of interest to some of you junior Town Board that when I was trying to describe the difference of these positions and titles was when the Town Supervisor decided he was tired of listening to me and forced me out of the building. And here you write about it again and incorrectly and improperly. Now there is also, a man can be... Well, I won't go into educating you people. You can get educated by somebody else. But you also omit the professional engineer. Professional engineer in New York State can be qualified as an architect designer or landscape architect. He can practice that area. He can call himself by this title but he can practice in this area. And you do not include a professional engineer. On the same page; a removal shall be on the recommendation of the Planning Director. Again, who the h--- is the Planning Director? Well, I didn't vote for him. Also further down the page it says; the Architectural Review Board shall have the power to retain consultants. Now if these five people collectively aren't enough to be a consultant, then the whole review board is just another political plum for somebody to fill in as favors. Let me get on to resolution 509. It allows all the time a citizen needs to speak."

Deputy Supervisor Gablenz, "Mr. Kasperovich, we've asked if everybody would conform to the five minute limit."

William Kasperovich, "Look. Just because there's one individual who wants to harass me up here and you do nothing about it to terminate it,.... In resolution 509 in the middle of the page, whereas the Planning Board Engineer. We don't have a Planning Board Engineer. So how this man or person can be point into the resolution, he's not a Planning Board Engineer."

Councilman Pike, "His name is John Johnson."

William Kasperovich, "He's a consultant to the Planning Board."

Councilman Pike, "Is he an engineer?"

William Kasperovich, "Regardless. He's not appointed. He's employed as a consultant and you certainly should know that and not question it."

Councilman Pike, "Thank you Bill."

William Kasperovich, "Resolution 510; you're still following through to give police powers to the ordinance inspector. I think I've said more than enough on this matter and you people still want to continue in that direction. My only place will be to object at the voting booth come election time. Now, the next four resolutions have to do with sewage and sewage treatment. This is a complicated and involved affair. And since the audience is getting restless, I would request that the Town Board allow me time after the public hearings to speak on these and these only; the four resolutions that came into the scene so late and were so quickly put through because they only appeared at the Town Clerk's Office for availability at 4:30 this afternoon. So if the Town Board allows me that privilege, I'll stop at this point."

Deputy Supervisor Gablenz, "Mr. Kasperovich. There will be another period where the Town Board will receive comment and you're welcome to make a statement at that time."

William Kasperovich, "Thank you."

Deputy Supervisor Gablenz, "Is there anybody else who wishes to address the Board? We have five minutes until the first public hearing. Maybe we can begin the resolutions. Mr. Kasperovich."

#472 DENIES SPECIAL PERMIT APPLICATION OF ALVIN BENJAMIN AND ISSUES FINDINGS STATEMENT PURSUANT TO SEQR.

Brought off Table by Councilman Boschetti and seconded by Councilman Lombardi.

(See Page 886 of resolution book)

Councilman Pike, "With a comment, this is the Benjamin Project east of Nadel Drive and north of Middle Road in Riverhead Hamlet. The Town Board is denying the special permit for condominium project up there and finishing the SEQRA compliance. Actually we're doing it in the opposite order because we have to. The neighboring communities are very greatly concerned about several major issues. The two that are addressed in the improvements of this resolution are one; access. This is a piece of property that's immediately north of John Wesley Village. John Wesley Village has roads that do not meet town standards and have speed bumps on them. So they couldn't meet the town standards. But the property as the subject of the application, has a legal right to travel over those roads of John Wesley Village. Secondly, there is on the northwestern corner of the parcel, direct access to Nadel Court which is part of the Nadel Drive neighborhood road system. It is a rather supertine course out of there to either Middle Road or Roanoke Avenue. So that what we're doing and have directed the Planning Department to do is pass along to the Planning Board as they consider the remaining option for the development of this parcel, one; the possibility that the town would extend Ostrander Avenue to the subject parcel. Ostrander Avenue, if you extend it, touches it on its easterly side. We realize this would

Councilman Pike Continued

require something kind of unusual that the town for the first time in a generation, build a road. But this is not something we have avoided in all of our history. Secondly, the possibility of moving the right-of-way over the John Wesley Village property to the most eastern portion of the John Wesley property and buffering it therefrom. They have a right-of-way. Redesignating it might be in the best interest of John Wesley Village. The second concern that's addressed in the findings statement, again that we're passing along to the Planning Board, has to do with the fact that this is in a transitional area from the hamlet to the farming community in Riverhead. And that the recommendations as to configuration and density contained in the farmland preservation program should be touched upon in their considerations on how it's laid out so that it would be an integral part of the transition from hamlet densities to farmland areas. So those are the two improvements. And with those in it, I vote yes."

Deputy Supervisor Gablenz, "Let the record show that the hour of 8:07 has arrived. Will the Town Clerk please read the notice of the first public hearing?"

PUBLIC HEARING - 8:05 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, August 2, 1988 at 8:05 p.m. to hear all interested persons who wish to be heard regarding: A Local Law providing a 4-year term for the office of Supervisor subject to a mandatory referendum.

Correspondence:

Allen Smith, 8/2/88-Unqualified support for changing the term of Supervisor from 2 years to 4 years.

Riverhead Town Board

Madam and Sirs:

Please accept this letter as an expression of my unqualified support for changing the term of the Town Supervisor from two to four years. It is my experience that the two year term is too short to accomplish many of the tasks to be managed by the Town Supervisor. A two year term requires that the Town Supervisor will be almost constantly involved in political processes which by their nature, detracts from the attention required for effective management.

I ask that you put his proposal on the ballot for this Fall.

Very truly yours,

Allen M. Smith

PUBLIC HEARING, Continued

Deputy Supervisor Gablenz, "If I could just make a statement. These resolutions changing the four year term for the Supervisor, the Town Clerk and the Highway Superintendent are not for those individuals that presently serve in those positions. But for those individuals that will be elected in November of 1989 who will start their term January 1, 1990. Is there anyone who wishes to address the Board on this matter? Delphine Kucera please."

Delphine Kucera, Wading River, "Ladies and gentlemen. I would like to speak in regard to the three at once so I don't keep jumping up and down. The Supervisor, the Town Clerk and the Highway Superintendent if you don't mind. In the past, the intent of two year terms was to keep elected officials more responsive to the public and probably to keep them honest. Today, we can rely on beauracratc red tape, special interest groups and the media (and I say this in a friendly way) to do these functions. However, it is because of these very same watchdogs that two years from election to election does not give enough time to carry out goals and objectives as they apply to all three elected positions. All three have programs that they want to accomplish and it just is not productive to have to spend four months being from July 4th to election day, focused on getting re-elected every two years. That amounts to 17% of the elected officials time that in my opinion, could be better used for the good of the town. Thank you."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else who wishes to address the Board on this matter? Mr. Baker."

Paul Baker, "I'm the president of the Organization of Riverhead Civic Associations. Responsive government is essential for the well being of Riverhead. In an period of unabridled growth, it is valuable to maintain a current public referendum which is the election of our officials. We hope you will continue the present two year term for Supervisor. We are certain that our government will continue the fine service with the two year terms that they have offered in the past. Thank you very much."

Deputy Supervisor Gablenz, "If I could just also clarify that this public hearing is the question of whether to place this question on the ballot or not in November. It's not whether you agree or disagree. If this was approved and placed on the ballot, that would be your objective in the voting booth to cast a ballot of yes or no. Mary Beth."

Mary Beth Andresen, Aquebogue, "At this time, I would like to not see this come on the ballot in November and my feeling is that I approve of a four year term for the office of Riverhead Supervisor. At this time, our town is still small enough to conduct elections based on a popular vote and not an electoral one. However, sometimes during one's term of office, this popularity wanes greatly. In order to assure popularity of the elected Supervisor, I strongly urge this town to deny the four year extension of the Town Supervisor. Thank you."

Deputy Supervisor Gablenz, "Mr. Benedict."

PUBLIC HEARING, Continued

Dick Benedict, Fanning Boulevard, "I would also like to speak on all three at once. And as far as I'm concerned, if an elected official is doing a good job, they don't need four months to get ready to be re-elected. First of all, like she said, it takes four months. If they're doing a good job, they'll get re-elected and we don't have a congress or a legislature or anything like that to watch where our money goes. And if we get somebody in there that's doing a bad job with our money, we should be able to get rid of them in two years. Thank you."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else who wishes to address the Board? Mr. Kasperovich."

William Kasperovich, Wading River, "Granted this is something we're talking about whether to put this on the ballot or not, but if we don't like it we should put it on the ballot. And I don't know who is promoting this four year term. If we had honest government here, we would know tonight who is pushing this four year term. I think the previous speaker hit the nail on the head, when he said by hook or crook, end up with a poor man, we'll only have to live with him for two years. And if he's doing a good job, it is recognized. Now, it would seem to me, our current Supervisor has had the pleasure and privilege of being the Supervisor for eight years and it's only in the election times that we got to know either from one party or another, exactly what's going on. So two years is enough. And we should so indicate by not putting it on the ballot. Thank you."

Deputy Supervisor Gablenz, "Thank you. Mrs. Graff."

Alice Graff, Riverhead, "I agree with Mrs. Andresen and Mr. Benedict that as far as getting in touch with and so on and so forth, two years. We are not Washington. We're not a big town yet and I hope that we never become one. Let's keep it as much as possible small town including two year terms for all officers, all of the three."

Deputy Supervisor Gablenz, "Mr. Pfeiffer."

Henry Pfeiffer, Wading River, "One of the nice things about living in a small town and in a democratic society is the ability to disagree on principal with your neighbors and still not lose their friendship. I favor the four year program being put on the ballot in November. It seems to me so far as a question of honesty is concerned, we have in addition to the press, in addition to this group that appears here on a fairly regular basis to scrutinize every resolution, every public hearing, every change and what is taking place in the town. And of course to top it all, we have four additional members sitting up directly in front of me now. Mr. Boschetti, Mr. Pike, Ms. Civiletti, Mr. Lombardi. And I would doubt very much if anybody could stop for one moment to call them a rubber stamp of anything that has been going on in the town. And I doubt very much if there has been any Board in the twelve years I've lived in the town that has acted as a rubber stamp for the Supervisor. And I would like to speak again to all three of these positions and as a matter of economics, it seems to me that the four year term not only in the expense to the town of running an election, the expense to the individuals running both on the democratic, republican and of course the conservative party. It's costly to the them and it's costly to those of us who reside here in River head and the loss of time and attention that is given to running for

PUBLIC HEARING, ContinuedHenry Pfeiffer, Continued

election, to the necessity to keep smiling, to the necessity to listen to somebody like me coming up here again and again. And I want to put it firmly underlined, I favor putting on the ballot the four year term for all three offices. Thank you."

Deputy Supervisor Gablenz, "Mr. Haizlip."

Steve Haizlip, Calverton, "It seems like to me it would only be fair and fitting that the Supervisor, the Highway Super and the Town Clerk got the opportunity of four years. But one reason I bring up the Supervisor being able to get four years and I know Mr. Lombardi and Mr. Boschetti is not going to think any more or any less of me, but he's sitting there for two years and they've got four years and they got a chance to run against him because they've got the expertise of town government and it's a fair and open country and it's an opportunity to run. I feel that he should be on the four years so that they all go out together and they all fight for the race and come back in at the same time. And as far as honesty of the Supervisor, I think we've got so many audits in place and so many watch people and so many personell of the finance and so forth, nobody is going to get away with too much and this town is too small and it's going to spread like wild fire and we'll be on it."

Deputy Supervisor Gablenz, "Thank you. Mrs. Sykora."

Florence Sykora, Riverhead, "I go along with this being put on as a referendum. This is what we're entitled to living in America and I think this is the most important thing we have. If don't like it, we can vote against it. If we want it, we can vote for it. And I think this is what we need, a referendum. Thank you."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else who wishes to address the Board on this matter? Mr. Haizlip."

Steve Haizlip, "I just wanted to reiterate on something. Is this going to be a Suffolk County referendum because of the ten towns in the county and they are all two years? Or is it strictly going to be Riverhead."

Deputy Supervisor Gablenz, "It is just strictly for Riverhead."

Steve Haizlip, "Thank you."

Deputy Supervisor Gablenz, "You're welcome. Is there anyone else who wishes to address the Board on this matter? That being the case and without objection, I declare this hearing closed."

8:05 PUBLIC HEARING CLOSED AT 8:20

Deputy Supervisor Gablenz, "Let the record show that the hour of 8:20 p.m. has arrived. Will the Town Clerk please read the notice of the second public hearing."

PUBLIC HEARING - 8:15 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, August 2, 1988 at 8:15 p.m. to hear all interested persons who wish to be heard regarding: A Local Law providing for a four year term for the office of the Town Clerk subject to a permissive referendum.

Deputy Supervisor Gablenz, "Is there anyone who wishes to address the Board on this matter? Nobody? Mr. Kasperovich. Let me just hear Mr. Kasperovich and then I'll call on you Mrs. Sykora."

William Kasperovich, "This matter of putting this subject on the ballot being the question of the evening, for the record, I say no. When we have a good person in office, she's not afraid to stand up every two years and say do you want me again. She knows the answer, we do. So we are not questioning extending the four year period. I honestly feel that this grouping of one elected official and two elected officials, three elected officials, one of whom who has legislative power and the other two do not. This makes a very sharp and severe distinction and I do not feel that it should be on the ballot together. If this was done separately in different years, I would speak differently. But in this point of time where I feel the current Supervisor is promoting and pushing this thing, I would say no to this. Thank you."

Deputy Supervisor Gablenz, "Thank you. Mrs. Sykora."

Florence Sykora, "Do these three public hearings have to be separated or can they go down in the books as being all one and people coming up and talking and saying whether they want it on the referendum or not?"

Deputy Supervisor Gablenz, "They are three separate public hearings. And that is so the Town Board can pick and choose which ones they would like to put on the ballot in November."

Florence Sykora, "I see. Well, I'll reiterate what I said before. I'm an American citizen, that's my right. With a referendum, I'll vote either way and that's it."

Deputy Supervisor Gablenz, "Is there anyone else who wishes to address the Board?"

Nora Dirksa, Riverhead, "I also would like to see this on a referendum for both the Supervisor and the Town Clerk and Charlie Bloss. He's a good Highway Superintendent. Thank you."

Deputy Supervisor Gablenz, "Mary Beth."

Mary Beth Andresen, "I was wondering if we have impeachment proceedings within our town code. I really don't think we should have an extension if we don't have an impeachment. Because at least we can live with it for two years, but if we get stuck in four, we have to deal with it then but that's something that should be looked into. Thank you."

PUBLIC HEARING, Continued

Councilman Pike, "Yes. It's the Supervisors of the ten towns who want it."

Deputy Supervisor Gablenz, "It's the Suffolk County Supervisors Association that passed a resolution at the June meeting requesting that the ten Town Boards of Suffolk County place this matter on the ballot in November for each of the individual towns. Is there anyone else who wishes to address the Board? That being the case and without objection, I declare this hearing closed."

8:15 PUBLIC HEARING CLOSED AT 8:30

Deputy Supervisor Gablenz, "We have five minutes until the next public hearing. Let the record show that the hour of 8:30 has arrived. Will the Town Clerk please read the notice of public hearing for the third public hearing."

PUBLIC HEARING - 8:25 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, August 2, 1988 at 8:30 p.m. to hear all interested persons who wish to be heard regarding a Local Law providing for a four year term for the office of the Highway Superintendent subject to a mandatory referendum.

Deputy Supervisor Gablenz, "Is there anyone present who wishes to address the Board on this matter? Mrs. Graff."

Alice Graff, "I'm not sure if I specifically stated that I was against all three for being on. But if I didn't I want to make that clear. I do not want the four year terms for any of them. Thank you."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else who wishes to address the Board? Mr. Kasperovich."

William Kasperovich, "If it was anybody but Charlie Bloss or at any other time, I would speak differently. But I thought I would take this opportunity to throw a few good words in Charlie's direction as being the best Supervisor we've had in my memory in this township. Unfortunately, that in this point in time with these other people on the ballot at the same time, I would have to say no. The Highway Superintendent has been an elected official for way back when. He is as much... I'm lacking for words at this point and you'll have to excuse me please. Because we're talking about a good man and I'm up here saying I don't want his name on the ballot come November. The people of Riverhead have profitted greatly by Charlie's efforts and I'm not his flag bearer. I just know there haven't been many times that anybody has gotten up here and given him credit for his hard work. And it is a hard job that he is doing well. However, in the light of my other comments, I still feel that this four year affair for all three should not be on the ballot because of the reasons that I gave previously. Thank you."

PUBLIC HEARING, Continued

Deputy Supervisor Gablenz, "Thank you."

Henry Pfeiffer, "Despite the fact that Mr. Bloss, the Highway Superintendent, has not painted that broken line on Wading River Manor Road in the last month, I still think he's doing a good job. But the important thing that we have to realize about this is that we're not voting to put Mr. Bloss in there for four years nor Irene Pendzick nor Joe Janoski for four years. What we're saying is that a newly elected official separate and distinct from this will occupy the position designated with all the duties incumbent therein for a four year period. Which for the various reasons we spoke of earlier on, feasible, economically sound, more effective and more efficient. And again, I approve putting this on the ballot. Thank you."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else who wishes to address the Board? That being the case and without objection, I declare this hearing. Let the record show that the hour of 8:35 has arrived. Will the Town Clerk please read the notice of public hearing."

8:25 PUBLIC HEARING CLOSED AT 8:35

PUBLIC HEARING - 8:35 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, August 2, 1988 at 8:35 p.m. to hear all interested persons who wish to be heard regarding: A Proposed amendment to Section 108-80 of the Town Code re: "Applications for a Change or Amendment".

Deputy Supervisor Gablenz, "Pat, maybe you could just give a brief explanation of what this code amendment is."

Pat Moore, Town Attorney, "This amendment deals with the change of zone application procedure. The procedure would require an application to be made to the Town Board as it is currently showing the current owner of the property and the list of current owners within 500 feet would have to be notified. The notification requirement would be by the applicant or the attorney and not by the Town Clerk as it currently requires."

Deputy Supervisor Gablenz, "Thank you. Is there anyone present who wishes to address the Board on this specific matter? Mr. Kasperovich."

William Kasperovich, "It would please me no end if somebody else would raise their hand and speak on many of these matters. I admit to not being the best public speaker but I do speak to the best of my knowledge. And I don't come up here with no searching or researching on the subject. Now, I spoke on all matters concerned on this when we had a public hearing. But again, it seems that no matter what you say right or wrong, the Town Board just puts it through the way they please regardless. Now, you write the wordage as 500 foot radius. Everybody that took geometry in school knew what the radius is. The radius has a center around which the circle pivots. Now, when you don't say where the center is, it's meaningless to say what the extent of the radio arm is. In a small piece of property, this wouldn't make any difference."

PUBLI HEARING, Continued

William Kasperovich, Continued

But in an odd shaped piece of property or a large piece of property or an unusual dimensioned piece of property or where you come to a sensitive point just near the area, where the center is, would be important. And any good lawyer would look for it if it were to his advantage. Now, if you're going to maintain those words, you've got to spell out where the center of the radius is. Where does the 500 foot radius pivot around? If you don't say where the center is, the word radius and 500 foot is meaningless. So you either have to spell out the center or spell out where the 500 feet is measured from in all directions. This is the only way to be clear and correct. But I expounded on this at the public hearing and here it is in print again and it's the same mistake. And once this thing gets in print, it costs the taxpayer a h--- of a lot of money to correct it. So I think this should.... You people should pay attention to the legal terminology and the interpretation that can be taken from the words. And when they are as flagrantly as wrong as this, I can't believe we have three attorneys up there. Thank you. That's all."

Deputy Supervisor Gablenz, "Mrs. Johnson."

Sherry Johnson, Manorville, "The proposed amendment says that upon application, the Town Clerk shall provide a sign to be immediately posted at the property. It then states that the Planning Board has 60 days to make recommendations and then that the Town Board must schedule a hearing at which time the applicant has to go back and fill in the date and time on the original sign if it's still there. That could take two, three or possibly more months. If we're still using the card board signs that we currently use or were using, I'm concerned about the condition that the sign would be in by the time he gets back to write in the time and the date. Next, I'm opposed to requiring that testimony be under oath. I just don't think it's necessary. And last, I object to the wording that says that the Town Board may require the sworn testimony of such persons as it deems necessary for a full and complete hearing on the application. I feel that that's giving the Town Board supposedly an unbiased Board, the capability to stack the deck. First of all, a change of zone is subject to SEQRA. Therefore, any information which you could possible need could be obtained from a draft environmental impact statement. And who is going to decide if the hearing is full and complete when you haven't included any type of criteria that would determine that? Thank you."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else who wishes to address the Board on this matter? That being the case and without objection, I declare this hearing closed. We have two minutes until the next public hearing. Maybe we could get through a few of the resolutions."

8:35 PUBLIC HEARING CLOSED AT 8:43

Resolutions #489-#492 found on pages 892-897 of the 1988 Resolution Book.

Deputy Supervisor Gablenz, "Let the record show that the hour of 8:45 has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:45 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, August 2, 1988 at 8:45 pm. to hear all interested persons who wish to be heard regarding: A certain plan and estimate of cost in relation to the proposed water extension at a maximum cost of \$148,000 to be paid by the applicant, "Johnstone Farms".

(See Water District Minutes)

8:45 PUBLIC HEARING CLOSED AT 8:48

Deputy Supervisor Gablenz, "If we could return to the resolutions, we have about seven minutes until the next public hearing." "Nora, why don't you get up and speak and then we're going to call a short recess."

Nora Dirksa, "And I have to read this because I forget what I have to say. Acting Supervisor Gablenz and ladies and gentlemen of the Town Board, I must disagree with Mr. Pfeiffer concerning swearing in persons wishing to speak before the Town Board. You ladies and gentlemen have been elected by the residents of the Town of Riverhead, some appointed. And I feel that swearing in may combat some of the abuse you are subjected to. I personally, and I'm sure many more think this is totally unfair and should not be tolerated. And it should be stopped and treat you with the respect that you deserve and the people have shown by electing you. Thank you."

Deputy Supervisor Gablenz, "Thank you. We're going to take a ten minute recess and we're going to come back at 9 o'clock."

TOWN BOARD MEETING RECESSED AT 8:49

TOWN BOARD MEETING RECONVENED AT 9:05

Deputy Supervisor Gablenz, "We're going to start this public hearing. Let the record show that the hour of 9:05 has arrived. Will the Town Clerk please read the notice of public hearing."

PUBLIC HEARING - 9:05 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, August 2, 1988 at 9:05 p.m. to hear all interested persons who wish to be heard regarding: The Critical Environmental Areas within the Town for designation.

CORRESPONDENCE:

Gordon Danby, 8/2/88-Supports designation of Riverhead wetlands at critical environmental areas.

Deputy Supervisor Gablenz, "You'll see on both walls some of the maps designated some of the areas that are proposed for this designation. Is there anyone wishing to address the Board on this matter?"

PUBLIC HEARING, Continued

Henry Pfeiffer, "I'm getting a lot of exercise tonight bouncing up and down around here but it's worth while. I understand there's a matter of clarification. Although this is not a county wide thing that the Board of Supervisors did vote in each of the towns to have such a hearing as this and to put it on the ballot for referendum in the various towns. So there might be as many as ten towns having a similiar thing if it is passed by the, or put on the ballot to begin with and passed again. Now so far as the impeachment and so forth and the fact that two years versus four years and so forth, I see four people up there who I would hesitate to diminish their importance (inaudible) the Town Supervisor. These four people, each of them enjoy a four year tenure. And the reason for that is to give a continuation of impact as to the direction the town is going and to. Instead of having at the end of two years or at the end of any specific period, a sudden and vast change in where the town is headed, what's taken place so far as garbage disposal, water supply, the Polish Fair and so forth and so on. We'd like a continuation of policy that is dictated by the electorate. That is the people of Riverhead. And I think that the four year term for the councilpersons certainly helps with that and I'm rather sure that it is a little difficult thing and we don't happen to have in the case of the Town Clerk that change over every two years, but it is possible. And the same thing might be true of the Highway Superintendent. But it seems to me that the people in the Town of Riverhead would benefit by not necessarily a short range plan, a medium range plan but a long range plan and all elements of government. And in the technical performance of these such people like the Town Clerk, like the Highway Superintendent. It seems to me that if we are attacking the theory of four years being too long without impeachment, perhaps we should reduce the terms of the councilpersons to two years to be equivalent. I'm not recommending that because rather in the interest of consistency and common sense, I again favor the four year terms being put on the ballot. Thank you."

Deputy Supervisor Gablenz, "Mr. Pfeiffer, you are correct in that the Suffolk County Supevisors Association at their June meeting, did pass a resolution requesting the Town Boards of the ten towns of Suffolk County to place this matter for four year terms for the three positions before the voters in November. Is there anyone else who wishes to address the Board?"

Steve Haizlip, "Maybe I put my question wrong before. Since Mr. Pfeiffer was up here and he's clarified it, I want to come back and get it on the record the way I wanted it to be. The ten towns are petitioned to get four year terms for their Supervisors. Is that right?"

Deputy Supervisor Gablenz, "Yes."

Steve Haizlip, "Thank you very much."

Deputy Supervisor Gablenz, "Is there anyone else who wishes to address the Board?"

PUBLIC HEARING, Continued

Councilman Pike, "I'd like to introduce the matter. In 1978 the New York State Legislature passed the State Environmental Quality Review Act. It is the law that we currently operate under as a local municipality. When we review any action whether it's that of a private developer or even of our own that results in what people commonly know as environmental impact statements. Environmental impact statements are a fairly detailed look at what is proposed. That means in terms of interphase or impact with the environment. Any constructive alternatives to realistic constructive alternatives to that action, the way that those alternatives compare with the original proposal, what irretrievable commitment of resources that you might want to preserve that are involved. In other words, what you lose when you approve that action and mitigating procedures or devices that can be used to mitigate to reduce the amount of impact on the environment. The basic thrust of the legislation is for decision makers such as this Board to make more informed, more intelligent decisions for land improvements based on full knowledge of what they're doing not only as proposed but its full impact on the environment around the project. It is designed therefore, not to change or limit the developpe but to make it more intelligent. The critical environmental area status is a status that is contained in the State Environmental Quality Review Act. It basically predesignates areas that are found by the local jurisdiction in this case, the town, to be of particular importance. We have had suggested to us that it is highly unlikely that there are absolutely no critical environmental areas in the Town of Riverhead. And I think there are also those of us who would suggest to us that this entire area is a critically environmental area. Certainly we are exhibiting throughout our shorelines and around the town some of the impacts of what man has done to the land and to himself and certain to Peconic Bay. The idea of the critical environmental area however, is to take those areas that are most susceptible to damage, those areas that are most valuable and have the greatest potential for doing any number of things. Wetlands which not only provide habitat areas for endangered species but on the human side. Provide recreational areas, provide scenic areas, provide flood control in a very natural and inexpensive way. These lands therefore, are being singled out as those areas that have a significant environmental value. That should a proposal come along, should be reviewed with the highest fairest degree of scrutiny that the law allows. As I indicated as of this time, there are no areas within the Town of Riverhead that have been designated as critical environmental areas. You see in the public notice that was published in the official town paper, a listing of 12 areas that have been suggested to us both by outside people and the Conservation Advisory Council. I would mention for accuracy sake, that the C.A.C. recommended eleven to them. One has been added; the Kroemer Avenue wetland and we can discuss that one in its individual case. It's a special case. The twelve areas basically involve every major tributary off of the Peconic Bay and/or Peconic River into the Town of Riverhead on the Southside and every major salt marsh or tidal marsh area on the Northside. Three of them on the north side of the Island. It includes in addition to those areas, two specific ponds. The pond at Hallockville and the tidal wetland that is probably a kettle hole in the middle of the Union Avenue area and we'll describe that one in particular. What I'd like to do is to let people know from the outset that this is not a legal device to limit the amount of development that you can do. It is not a legal device that will prevent you from developing your land. It is a legal device that insures that you will

PUBLIC HEARING, ContinuedCouncilman Pike, Continued

do it if you choose to develop the property, as intelligently as this Town Board and its advisors and your representatives can possibly do. It's not anti-development really. It's anti-stupidity. It's anti-idiot. It's anti-wasted effort. The idea here is to make things work with the environment rather than exploit them. The characteristics that these lands will tend to share in common are that they have some connection with public health, that they would be important to the preservation of some component of the town's natural heritage that they have an inherent ecological or hydrological sensitivity to change. That they may have habitats for endangered or threatened or species of special concern on either the state or federal or in fact the international list. The wetlands portion of these tend to provide very inexpensive flood control water stormwater management systems. A very natural system that would provide an interface off the land into the sea. They have a factor in erosion control, pollution control and recreational value. Wetlands also provide a breeding area for many of the species of the larger estuary system that are obviously very struggled. The destruction of these wetlands would make the return of health to the Bay a mute point because we wouldn't have the breeding areas for them. Those wetland areas are therefore, critical of environmental importance. They provide all of those values. The maps that you see up there are a more precise tax map lot description. So you won't have argument about whether you're in it or out of it. Those lines are designed to be as precise as we can be. Clearly whether your property has some of these values that we talked about before is a map subject for tonight's hearing. There are twelve specific areas recommended for inclusion in the SEA status. They are; and I'll try and do these in intelligent groupings, one the Peconic Bay estuary system, Meetinghouse Creek, Reeves Creek, Cases Creek and East Creek. Meetinghouse Creek is one of the widest of our Bay creeks. It is also widely used for recreational boating. The creek has sensitive tidal wetlands and an operating duck farm still exists on the creek. And both the duck farm operation and the existence of the marina and other recreational boating facilities, put some stress on the eco system. Any additional development beyond those, would put far greater stress. The conversion of the duck farm to some other use would put greater stress. It might put less stress if it's intelligently designed. So Meetinghouse Creek is included. Reeves Creek is far less developed. It is surrounded by land used for agricultural purposes and it is a place where you will tend to find black ducks and a wide variety of wildlife who find some harbor there. Cases Creek is beyond... The largest portion of it is a large salt marsh that is north of (most of it) Peconic Bay Boulevard. And those of you who know the Velys house, will think of it as the wetland to the far left of that area. East Creek; this is the eastern most creek in the town. It has been officially designated by the Department of State as a coastal fish and wildlife habitat. At the point, there are two species there of particular concern. The least tern which is a New York State endangered species and the piping plover which is threatened species. The town plan for the coastal areas very specifically talks for the protection of that area. Those species already enjoy some protection. This would make sure than any additional development around that area would be designed so that it would not hurt that area. The fifth is Saw Mill River and Creek. The Saw Mill River

Councilman Pike, Continued

is in an area of increasing controversy and a great deal of development potential. It is in an area that in time over the course of the years, has been heavily altered. There are a lot of culverts that go under a lot of roads and has been filled in some areas. It runs all the way from Red Maple Swamp head waters north of Route 58 on a two and a half mile course along the stream corridor down into the Peconic. There have been as many as five duck farms along the course of the stream. Three are out of operation. Two remaining have recently deceased operations. It has for all of its development and its modifications for a duck farm some of the largest undeveloped wooded parcels in the Town of Riverhead. There are developments at least one, two, three, four major hundred plus developments currently pending before the Board. All of those developments just as by way of example, are going through environmental review. This would not change that. It would not change what they could get. It would simply say that any other ones that are going to load onto that eco system would also receive full environmental review. And then you would know it from the outset were you bringing such an application. This stream corridor absolutely provides a flood control function for the central, a major portion of the central corridor of Riverhead. And careful evaluation of not only each project but the cumulative impact of all of those projects is important. The next one that's of interest is the Union Avenue wetland. This is one that is largely unknown to the citizens of the Town of Riverhead. I didn't see it until I was dragged up there by some excited members of the C.A.C. and North Fork Environmental Council and I was stuned with what I found there. You have a rather extraordinary 60 foot depression that was probably created by the residents of the retreat of the last ice age. It is an area that is perfectly prestined. One of the farmers in the area has used it as a source for fresh water. He does not have to drive a well. He just goes down to 60 feet, puts his pump in and pulls it out. But you will find that if you visit this site, that there is a very unique totally self contained ecosphere there with a very interesting succession of plant life as you go up the elevation from what is basically ground water level, up 60 feet to the levels of the farms. If you've never seen this, it is an extraordinary place in the Town of Riverhead. I would also note parenthetically, that it is the subject of some litigation at the moment. The project that surrounds it is again, going through full environmental review. This simply being designated because if that project does not go to a point where it vests in the right for it to develop and some other project came along, it would be absolutely clear that that area would withstand and recieve full environmental protection. The next one that we've designated for this hearing is Terry's Creek. Terry's Creek is the one that runs next to one of the projects that we're going to be having the hearing on tonight. It bears off of the Peconic River. It has a plan as you'll hear it at a hearing tonight, for a project with 500 condominiums units and 500 boat slips that's up for an extension hearing tonight. It continues all the way up into the intersection of Main Street with Route 58. If you think of going up here and hitting Route 58 where it meets Main Street just before you get to the ice cream place on the right there, there is a large undeveloped area. Terry's Creek runs all the way up into that area and there's a large wooded wetland area that runs all the way to the Peconic River. The next one is the wetland west of Kroemer Avenue. Kroemer Avenue as you know, one of the industrial hubs

PUBLIC HEARING ContinuedCouncilman Pike, Continued

of the Town of Riverhead. It has a distinctive feature of a automobile graveyard, junkyard recycling center, I guess. And to the west of that you have a tributary off the Peconic River system. This area has one subdivision permit in the Town of Riverhead which because of environmental review, revealed the existence of an endangered species habitat with clear evidence that there are endangered species in the area. This is one that the Town Board has added to the list to be considered tonight. You should also know that a major portion of this wetland because of the lack of stringent environment protection was destroyed by a set of bulldozers running over the property and that is the sort of wanton destruction that full critical environmental area status would help prevent. Just a couple more. For those of you who have been up to the northeast corner of town, the wetlands at Iron Pier. The Iron Pier Beach has behind it a large wetland area that, other than the installation of a land-made pipe system to drain it from time to time, is largely in its natural state. The next one is Hallocks Pond. Hallocks Pond is another one of those that people don't get a chance to see. It is up in the very northern central part of the so called LILCO property up in Northville. Hallocks Pond, in addition to its environmental values, has been established to be an archeological site. Signs of Indian civilization have been found directly to the west of the parcel. It is also logically part of the Hallockville complex because Hallocks Pond is part of how they irrigated their farms a long long time ago. The vegetation there is again, quite diverse in that area which is largely undeveloped. The entire LILCO property you have deer, blue herrins and racoons. The two remaining; Wading River Marsh. If you've ever been up to look at the Shoreham Nuclear Power Plant from the Riverhead side, your vision was at least briefly interrupted by the Wading River Marsh. It is a designated significant fish and wildlife habitat designated by the state. It has the full range. It is a fully developed salt marsh wetland area. And it would take me about 15 minutes to run through the habitat inventory there. There are threatened northern herriers and threatened osprey up there as well as other important species. This is again, one of the two that have already been designated by the state. And any development in that area would be subject to strict environmental review. The final one is the area the wetland area that is the extension of the big dip on Sound Avenue. If you think of going to the Boy Scout Camp, hitting the big dip, if you follow that valley down into the North Shore, you have one of the two large salt marshes in the North Fork. While it is not quite as large as the Wading River Marsh, it has a similiar history, similiar inventory and similiar ecological value. I would point out that the 1973 Master Plan for the Town of Riverhead designated nine of those twelve areas as environmental protection areas. So that in 1973, this town addressed the nature of those and took a good look at them and realized that they had particularly important areas here. I'd like to turn it over to open it up for a hearing just closing with a common thought. We have here in Riverhead an extraordinary set of resources. They run throughout the town. These have been chosen because they are the most fragile, the most threatened and the ones that require the most particular attention. For those of you own pieces of property in these areas, I think you would find that even if you choose to develop them, that the critical environmental status that you would receive on the property

PUBLIC HEARING, Continued

Councilman Pike, Continued

will not delay the review and approval of your project. It will speed it up because the CEA status makes it clear from the beginning that you will prepare an environmental impact statement and you can get on with the job with a full fair and reasonable environmental review. So that whatever you do with your land, takes advantage of the resources without exploiting them. And with that, I'd like to turn it over to the Chairman."

Deputy Supervisor Gablenz, "Is there anyone who wishes to address the Board on this matter."

Alice Hussy, "President of the Riverhead/Southold League of Women Voters. The League of Women Voters of Riverhead/Southold supports the amending of the Town Code of Riverhead to designate the proposed wetlands and water bodies in the township as critical environmental areas subject to the New York State Environmental Quality Review process. The League's position states; resources should be managed as inter-related parts of life supporting ecosystems. Pollution of these resources should be controlled to protect the public health and preserve the integrity of the life supporting systems. To assure the future availability of a central resources, that is ground water, coastal waters, marshland and so forth. Government policies must promote stewardship of natural resources. The League supports decision making that recognizes the regional implications of actions on shared resources and gives special consideration for the protection of areas of critical environmental concern. The League also believes that public understanding and cooperation are essential to the responsible management of natural resources. The public has the right to participate in the decision making process. And this is guaranteed under the State Environmental Quality Review Act. The League most firmly supports the identification and regulation of areas of critical concern such as the wetlands, water sheds, rivers, lakes, estuaries and bays. Valuable ecosystems where development could result in irreversible damage if not carefully controlled. Because the critical environmental areas in the Town of Riverhead impact on two regional resources, the Peconic estuary and the Long Island Sound estuary, it is particularly important that these estuary systems be managed wisely. Both estuaries are severely stressed. And since a large portion of the East End economy depends on the vitality of its coastal waters, all the townships sharing these estuaries must work toward further preventing degradation of the coastal water quality. One of the most important ways in which the Eastern Long Island towns can prevent further pollution, is through the enactment of critical environmental legislation. The League of Woman Voters of Riverhead/Southold urges the Town of Riverhead to consider the public health and welfare of its own citizens and also of the region by so amending the Town Code. Thank you."

Deputy Supervisor Gablenz, "Thank you. Kathy."

PUBLIC HEARING, Continued

Cathy McGinnis, "Good evening. I'm aid to Suffolk County Legislator Fred Thiele. I'm here to read a letter from him tonight. Dear Members of the Riverhead Town Board: I am writing to express my support of the critical environmental area designations which you are considering this evening. As you may know, I am the sponsor of pending legislation in the Suffolk County Legislature which would designate that the Peconic Garden Bay system as a critical environmental area. The Town of Riverhead by adopting the proposal before them tonight, will take an important step in protecting its unique natural resources. From a legal standpoint, the critical environmental area designation will ensure that development in these sensitive areas will be looked at far more closely. The designation will create a presumption that development will be more likely to create adverse environmental impacts in these areas. However, increased legal protection is not the only rationale for the critical environmental areas designation. The designation will also create public awareness of the environmental significance of these areas. I believe that the proposed action by the Town of Riverhead compliments my proposal before the County Legislature to protect our sensitive lands. Accordingly, I urge this expeditious adoption. Thank you very much, signed Legislator Fred Thiele. And I'd like to distribute these."

Deputy Supervisor Gablenz, "Is there anyone else who would like to address the Board on this matter?"

Chuck Bowman, "I'm President of the Land Use Company. It's an environmental consulting firm and I also have my office and residence in the Town of Riverhead. And having a lot of experience in the rest of the towns on Long Island that have enacted legislation such as this, I can say that what Councilman Pike has informed the audience, is absolutely correct. That this will speed up the process. Knowing that an area is of critical environmental concern, certainly helps in the planning process and it certainly helps in advising property owners on what the process is as far as development and potential that they have to go through. So I would hope that this legislation would be passed and I think the selection of the area was done with the utmost care. Thank you."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else?"

Steve Haizlip, "In addressing the Board, Mr. Pike read from a list of twelve major environment areas. Now I see that 508 is coming up tonight for a hearing. Now, down behind those hills and in back of those woods there is a big lake that is known as Canoe Lake. Has that been considered and it has a stream of sufficient width that goes all the way out to Peconic River. Now, according to this 508, they say they're going to accept a draft environment impact. Well, it's a little early to iterate on it now but I'm am because the hearing is probably going to be announced next week. But these people that put this environmental impact in for the sake of the Town Board, I want you to know that there is a big huge lake back there and it's active, it's fish and turtles and many other species in it running around. And so take that into consideration."

PUBLIC HEARING, Continued

Councilman Pike, "The name of the lake Steve, is Canoe Lake? You're correct. They have also found an endangered species in Canoe Lake."

Deputy Supervisor Gablenz, "Is there anyone else who wishes to address the Board? Yes ma'am."

Marianne White, Riverhead, "Good evening members of the Town Council. As an individual, I wish to express my thanks to those individuals who dedicated their time to the compilation of this comprehensive wetland study. I also wish to applaud the Town Board for considering this innovative study for approval. Within the past month we have been confronted by a most shameful display in modern society. Our most vast resource, the ocean, has been vomiting upon our shores, our refuse. To any reasonably thinking person, if an alarm did not resound any time before in one's life, I'm sure that this month tripped those belated signals. To approve this wetland study, would be a step to owning up to one's responsibility. In other words, it is long overdue that modern society ceased the narrow thinking of the easy way out. There is no easy way out. For our future and that of our children, we alone are responsible. I hope I can take the time in advance to applaud the Town Board of approving the study. Thank you."

Deputy Supervisor Gablenz, "Thank you. Mr. Baker."

Paul Baker, "President of the Organization of Riverhead Civic Associations. We applaud your efforts to designate critical environmental areas. We believe it's long overdue. And we encourage your intelligent land use efforts such as these projects. We await the speeding adoption of the designation of these areas. Thank you very much."

Deputy Supervisor Gablenz, "Thank you. Mr. Conforti."

Anthony Conforti, Attorney, "I am an attorney maintaining an office here in Riverhead. Generally, I appear before this Board representing developers and I'm going to do so again tonight. However, I'm an owner of one of the pieces of property that is proposed for designation as a critical environmental area. I'm in favor of that designation. I'm one of the few people... Well, there are more and more people nowadays who believe that development and environmental concerns do not have to be mutually exclusive. I underscore the comments made by Councilman Pike and those made by Chuck Bowman also in support of this designation. Thank you."

Deputy Supervisor Gablenz, "Thank you. Yes ma'am."

Ruth Pollak, "I'm an attorney from Nassau County. I just wanted to take an opportunity to speak very briefly. For once in my life I don't have anything prepared. I was born in Riverhead and I was raised here in Wading River. I'm familiar with most of these waterways but I was brought up almost literally on the Peconic River and on the shores of the wetlands that were designated as the Sound Avenue big dip area and a Wading River Marsh. I like these names. In any event, I would like to think that I'm intimately acquainted with them. And having lived in Nassau County over the last six years while I started my legal career, I've learned to appreciate even more

Ruth Pollak, Continued

than I thought I could and even more than I did having grown up out here, just how fragile and how limited these areas are. And I think the only thing we have to keep in mind in considering this device is that what makes this area of Long Island unique and certainly separate and distinct from Nassau County and the rest of the Island is these wetlands. And once they are gone, they are gone. I heartedly approve of this device and you'll be seeing more of me in the future. Thank you."

Deputy Supervisor Gablenz, "Is there anyone else who wishes to address the Board? Yes sir."

Bob Savage, Attorney, "I'd like to raise a few rhetorical questions about the CEA. Presently we have a Town Board that has hired outside consultants to advise the Town on environmental health and related questions. We have a CAC composed of local residents who are intelligent. They work hard. I believe they work pretty much on a volunteer basis. We have a Planning Board mandated to direct the growth in the town. We have a Zoning Board of Appeals which adopts procedures and policies to protect sensitive areas. We have a Suffolk County Planning Commission. We have a New York State DEC which has several sub-organizations in it. And we have the Suffolk County Health Department. I question just what the purpose of was another review standard is going to accomplish here. I wonder whether it might not serve to create greater delay and also create greater cost to individual homeowners or individual property owners. As I've already stated, I think the CAC is comprised of intelligent local people who are familiar with the area who have local interests at heart. They have invested their time and energy. I also question whether the CEA does not ensurp the recommendations and hard work that these people have already done. I wonder what has happened within the community at this particular time to necessitate this designation. Does the Town Board not accept the studies and the findings of these various levels of government. Do they not trust their findings. I'm just not sure what we're accomplishing other than feeling good about something that may just be another level of delay. I also question what effect these designations are going to have on projects in Brookhaven Town, on projects like the Brookhaven Lab, other impacts at the headwaters of the river that really do effect the quality of the water in Peconic River. I also wonder about the parking lot south of Main Street where stormwater runoff contaminates the river with motor oil, fecal matter from animals and other contaminates. Again, another example; the Westhampton Air Base. What kind of contamination is presently existing there and continuing to go on there. A further area of concern would be the golf course and nitrates that are put on the course there to promote the grass growth. I think the whole point there is that we have a resolution here that is very well intended. I think the result though may be to harm local people and hurt the little person. Local impacts in Riverhead stem from the parking lot which I believe is under the jurisdiction of the Riverhead Parking District. The County facilites. What are the impacts over there. I mean these are big users which have the potential to be contributing major contaminates to these resources that we are all so concerned about. And finally in closing, I'd just like to say again, that I think this resolution

PUBLIC HEARING, ContinuedBob Savage, Continued

is well intentioned. But I'm not sure that it's not putting the cost on the backs of the individual landowner while the local municipality appear to be acting free and with abandoned while having these same harmful effects. Thank you."

Councilman Pike, "I'd like to give you a not so rhetorical answer. It's a good question. First of all, you mentioned a list of things outside the Town of Riverhead and those are obviously outside of our jurisdiction. The Suffolk County Airport and the Brookhaven headwaters area. We have no control over those. These won't effect that. The County of Suffolk and their impact on our ecosystem, the County Center, we'll address later tonight. You asked, won't this involve more delay. We've already heard some testimony of some people who have had to live with it and the answer to that is no. It doesn't. In fact it provides some certainty because you know you've got to prepare it. You can move ahead with that. There was a developer in this town who attempted to move an over 100 unit condominium development through this Town Board as Lead Agency without an environmental impact statement. He got probably over a year and a half into the process when it became quite clear to us that he had to do one. And he got jolted back to base one after wasting a year and a half of his time. If the critical environmental area status had been on his property, there would have been no doubt whatsoever in his mind that he had to do it and he would have saved that year and a half. Time is money. And so you ask about cost. There are two comments about that. One; if you speed it up, you're going to save some money on the cost of money. Secondly, there are some costs that are appropriately born by individual property owners. If in fact a development is not done in an environmentally compatible way and if in fact because of that, it creates pollution which the rest of the community has to bear the cost of or it creates the destruction of something that the rest of the community has to pay for, it is no bargain to the rest of the community. All it simply does here is if there is a real cost, a real world cost of a project, make sure it is born by the person who will profit from the development. Most developments are moved ahead in this town and are profitable. You will see that with the CEA status because it will speed things up, it will be slightly more profitable than otherwise. And the most important thing is that the developer will bear the burden (the reasonable burden) of making sure that what he does doesn't create a burden on the rest of the community because of a short sightedness lack of information. Finally, you asked about our regulatory boards. This does not add to their responsibility to do their job. What it does do is provide an organized coordinated multi-disciplinary review from all of their expertises, from all of their committments, from all of their resources into a focused question of what can we best do on the property. That unification of purpose, that unification of intention and focus, without any doubt draws upon those resources does not add an extra unwarranted regulatory thing. What it does require is that is the application goes through the process that they have full and complete information so that they can base their decisions on the very best of what we know. That is what the SEQRA process is about. You'll find that one; it speeds things up. And two; that it will in the long run, save money that should be saved and requires people not to spend money that should be born by the developer."

Deputy Supervisor Gablenz, "Is there anyone else who wishes to address the Board? Mr. Bartunek."

George Bartunek, CAC, "The first thing I'd like to do is get the name of that fellow who spoke previously and maybe we could invite him to the interviews on August 10th. Last Friday I and Mr. Pike attended a conference held at Southampton College that was concerned with the devastation of the bays. And it struck me as an interesting observation that for the first time I was seeing environmentalists and business people on the same podium arguing for the same thing. This happened with a number of panels. There were some people who were marina owners and operators and there were some baymen there who were arguing that something had to be done to clean up the environment of the surrounding areas of the Peconic Bay system estuary. One of the things that was constantly mentioned by people who spoke at that conference was what is the county government and the state government going to do to initiate some of the clean up of the Bay and what type of regulations were they going to develop so that this devastation was going to be turned around. And I was thinking that when these comments were being made that here is a perfect opportunity for Riverhead to do something on the local level to help with this clean up of the Bay system. The CAC has considered certain areas, CEA designations that would be tributary into the Long Island Sound and into the Peconic Bay system. And at our June 2nd meeting, we recommended the following creeks and wetlands that would be tributary into the Peconic Bay and the Long Island Sound. Meetinghouse Creek, Reeves Creek, Cases Creek, East Creek, Saw Mill Creek, Terrys Creek, the wetlands at Iron Pier, Wading River Marsh and Baiting Hollow Marsh. And in the letter that we forwarded to the Town Board from that meeting, we also said that we would like to keep the option open of considering other areas as CEA's. Thank you very much."

Deputy Supervisor Gablenz, "Thank you. Yes ma'am."

Corinne Buttervance, "Of the Long Island Chapter of the Nature Conservancy. The Nature Conservancy supports the critical environmental area status of the mentioned twelve considered areas. There are very important tidal wetlands among these twelve. There are also very important endangered species, habitats and occurrences among these twelve sites. And in particular at the Wading River wetland area has parcels owned by the Nature Conservancy and active management going on there. And the patchwork of ownership in Wading River; the Nature Conservancy has a difficult time in keeping up with adjacent landowners development plans. Hopefully, this critical environmental area status would give us some additional assurance that the Town Planning Board is looking very carefully at every one of the parcels in the Wading River Marsh area and that would help our management. Thank you very much."

Deputy Supervisor Gablenz, "Thank you. Mr. Kasperovich."

William Kasperovich, "Let's see, what could I say to start out differently? Anybody else want to speak for me and follow through the different notes? Some of you fine people that are here and some of the gentlemen that got up here to talk, were little toddlers wading in some of these creeks while this guy Kasperovich from Wading River was standing up here getting booed down that he was concerned with preserving

PUBLIC HEARING, ContinuedWilliam Kasperovich, Continued

nature. So we're in a different generation now. Things have, life of nature passes by because they often think as we come into this area of thinking that the geese no longer stop in my frontyard every year. The ducks which came to my neighbors apple tree for every year for the last 30 or 40 years no longer stop. Things of nature have changed. In Wading River we still have photos of the masts of sailing ships sticking up above the trees down by where they were taken from the direction you would go towards the post office towards the general store. Now, photography is not centuries old. It's of recent times and there are records of this. But people think of those marshes as virgin territory that that's the way it's been. There was a river deep enough for a sailing ship to use to come well inland. Now, I noticed a very favorable press coverage to Mr. Pike and good radio coverage today. But I'm sorry to say Mr. Pike that you're getting a lot of credit for work that other people have done."

Councilman Pike, "Let me stop you right there. I will not take that credit. I will very gladly share it with Sherry Johnson who is very largely very responsible for the word product that I've been working on here. And the North Fork Environmental Council and all of the people who have spoken here in favor of that. The fact is that I introduced it. The media started calling me."

William Kasperovich, "This is not the aspect of credit that I was referring to. I would have expected a great deal of this to appear when this public hearing was called for. And certainly would have expected it to come up in print or from the podium this evening. Many agencies for many years well longer than many of the people that have been involved in this item at this point in time have produced documents, maps, statistics and what have you. Now, we go from large or I should say..... It's in reverse when a map encompasses a lot of land on a little piece of paper. It's a large scale. And when it's enlarged and covers a small piece of land, it's a small scale. But we have the Island studied as an Island. We've had the counties studied as counties. We've had shorelines studied as shorelines. I personally got involved with some of that back in the early 40's or mid 40's when I got out of service."

GENTLEMEN FROM AUDIENCE INTERRUPTED MR. KASPEROVICH TO REMIND BOARD OF THE FIVE MINUTE RULE FOR SPEAKERS.

Deputy Supervisor Gablenz, "There is Mr. McGannon. I think that Mr. Kasperovich is drawing his comments to a conclusion. If you would please so that we could have some other people do their comments. We are running very far behind on the last public hearing."

William Kasperovich, "I waited patiently for the people that wanted to get up here and talk on this subject."

Deputy Supervisor Gablenz, "Mr. Kasperovich, I'm politely asking you."

PUBLIC HEARING, Continued

William Kasperovich, "If this gentleman is your preference if you're going to be preferential to those individuals. You are not the chair lady. I told you that. I don't recognize you as the chair lady. I didn't vote for you and I didn't elect you."

Deputy Supervisor Gablenz, "Mr. Kasperovich, that's your prerogative."

William Kasperovich, "I think this is pertinent. This is representing 40 years of my life study in this area. This guy wants me to put it into five minutes. I say the h--- with him. I have my right to stand here and talk."

Deputy Supervisor Gablenz, "Mr. Kasperovich, we've been more than glad to read your comments or meet with you after the meeting. I'm sure there are plenty of people who would like to speak on this subject."

William Kasperovich, "Mr. Janoski doesn't give me the privilege of talking in his office. He won't let me in his door. So I say the h--- with him. I'll take my citizens right to stand up here and talk where I am privileged to talk."

Deputy Supervisor Gablenz, "I am not Mr. Janoski."

William Kasperovich, "Now, you have a man to throw me out, go ahead and try to do it this time."

Deputy Supervisor Gablenz, "I do not have...."

William Kasperovich, "It will never done. I have my right to speak and you're not going to hold me down. This is a public hearing and I'm entitled to speak. Now, I'm covering a 40 year period of my life and this character wants me to do it in five minutes. Where the h--- does he think he is."

Unidentified Man, (speaking from audience) "The rules of the game sir. If you don't want to play the game...."

ARGUMENT BETWEEN MEMBERS OF THE AUDIENCE AND MR. KASPEROVICH
CREATED AN UNDECIPHERABLE EXCHANGE OF COMMENTS.

DEPUTY SUPERVISOR GABLENZ ATTEMPTS TO CONTROL THE ARGUMENT AS
MR. KASPEROVICH CONTINUES.

Deputy Supervisor Gablenz, "I'm going to have to have to ask you to leave if you're not going to respect the rights of these people."

William Kasperovich, "You're not going to ask my anything lady. I'm going to have my say. This is a public hearing."

Councilman Pike, "Mr. Kasperovich, as one of the people that..."

Deputy Supervisor Gablenz, "Pat, we're going to give Mr. Kasperovich two more minutes. Would you like to.... Can you conclude your statement in two minutes?"

William Kasperovich, "The only thing I can say in two minutes is how poorly I think. Now that schister wants to go out there and act like a schister, it's here business."

Deputy Supervisor Gablenz, "Lieutenant Robinson, can you have somebody escort Mr. Kasperovich out of the room please. Do I have anybody else who wishes to address the Board on this matter? Yes ma'am."

**** William Kasperovich**, "You can blow it out your tail buster."

Deputy Supervisor Gablenz, "Mr. Kasperovich."

William Kaspereovich, "Don't call me Mister. You don't give me the respect that I'm entitled to as a citizen and a resident of this township."

Deputy Supervisor Gablenz, "Lieutenant, would you please escort Mr. Kasperovich out? Yes ma'am. If you could state your name and address for the record."

Louise Reeve Pollak, Wading River, "I've lived in Riverhead township all my life and I think this is a very important thing you are doing with the designation because I remember, if anyone else does, the nice pond that was by the Cauliflower Association which was filled in. And after that, destroyed natural habitat, floods the roads and is now an ugly eyesore. It's just a wasted looking place. So if we don't have a little control over these things that's the kind of thing we have to think about. Thank you."

Councilman Pike, "Was that on the..... Excuse me."

MR. KASPEROVICH INTERRUPTS THE MEETING WITH DIALOGUE FROM THE AUDIENCE.

Deputy Supervisor Gablenz, "Mr. Kasperovich. Mrs. Brown, would you like to...."

William Kasperovich, "You people tolerate this kind of non-sense in this township?" (speaking from audience)

Betty Brown, North Fork Environmental Council, "I almost forgot what I was representing for a moment."

Councilman Pike, "Betty, before you start, gather yourself. Don't. I would also like to say that we've had a couple of discussions in the last couple months about the freedom of this microphone. It is a very treasured thing here. And dealing with the barage that we occasionally get up here and one of the ways that I've learned to deal with it is to hold in mind that democracy has a price and this is it."

**** Comment made in response to unidentified speaker's inaudible remark from audience.**

PUBLIC HEARING, Continued

Betty Brown, "Included in the proposal for critical environmental areas are freshwater and tidal wetlands and marshes. It's our council's belief that these sensitive and significant areas be extended the designation of critical. And by doing so, we'll afford them the closer review that is long overdue. The 1973 Master Plan makes reference for a need to identify wetlands and sensitive areas that should be included as environmental protection areas. The proposed critical area designation will achieve that goal. This designation is essential to aide the preservation and protection as well as enhance our town's natural environment. This designation will provide for closer scrutiny and furnish an opportunity for emphasis on compatible relationships between the natural environment and development. One specific site that I've had the opportunity to know extremely well is the Union Avenue wetland. This unusual area has been described as an old glacial melt water kettlehole system that drains from the Harbor Hill Marine to the north. Surface expressions of the water table are evident and the wetlands represent extremely valuable habitat. This system is a major system dotting the farm fields which stretch from Baiting Hollow to Orient and serves as an oasis for migrating water fowl. Underground water flow flows south and thusly, ultimately feeds the Peconic Bay system. The North Fork Environmental Council supports these areas as critical and the well founded designations proposed. We urge Board members to unanimously support this resolution as one that will be the beginning of many more legislative acts to protect our resources and give Riverhead wetlands the distinction they well deserve."

Deputy Supervisor Gablenz, "Thank you. Mr. Schmelzer."

George Schmelzer, Calverton, "Many people who own wetland or swamp pay taxes on it but the Nature Conservancy which sounds off quite a bit doesn't pay any taxes. As far as Hallocks Pond is concerned, Bob, the town owns it already."

Councilman Pike, "Boy we don't know that. How do we own it?"

George Schmelzer, "You should know it. By a deed in 1965 from Southold that's within the Andrews Patton that was controlled by the Southold Trustees. And through that deed, all ponds up there to the Manor line the town now owns or controls."

Councilman Pike, "I wonder if LILCO's title insurance is aware of that. Thank you George because that's a very important piece of information. I have found that doing old title research particularly those of you who are familiar with the Wickham claim, can be very useful when saving natural resources."

George Schmelzer, "It's time out when you're talking. The pond by the Cauliflower Block, that time the land was owned by Henry Finklestein. I've known Henry Finklestein for years. That was just before he died and I don't think he was acting right. I called upon the town council.... But the town owns that and they could put a stop to it. Riverhead Town Council. Nobody did a thing. The Suffolk County Highway Department when they built 58 in 1938, didn't bother to get an easement for the drainage in there. They could have gotten it for nothing at ten dollars but they didn't do it. So that's two mistakes."

PUBLIC HEARING, Continued

George Schmelzer, Continued

And the third mistake was that we had about six inches of water there thereafter. So they could have raised the road about eight inches to solve it. Instead they spent hundreds of thousands of dollars with these drains on the east side of Middle Road which drained the water into Bruno's Duck Farm into the river. Now had the Town Council acted right away, they could have stopped the filling in of that pond and that would have been no problem but they didn't do it. Canoe Lake does not drain into the river. I have seen it when we had a wet season or flood season. Right north of the track there was water. Probably you could go there today and it's dry. The old flow goes to the south but never reaches the river. And part of Canoe Lake if you wanted to walk in the middle, you'd never get out alive because there's several feet of bog. Maybe if you're six feet tall you'll be alright."

Councilman Pike, "I've got to ask. How do you know that?"

George Schmelzer, "I've been there. I've been around here just about as long as your father. You're concerned about swamps. What's endangered? Mosquitos and the ticks that carry Lyme Disease? You're helping the ticks and mosquitos that are the biggest ecological life in swamps. So you should make a motion to include in here that this area is forbidden to spray the mosquitos. By doing so you help the swamp ecology tremendously. How about it Bob."

Councilman Pike, "Anything else bugging you?"

George Schmelzer, "No. You are. The biggest endangered species is the animals in the Riverhead Town human animal farm right here. The other boards they're like a cattle ranch. You tell the human cattle where to live, what size house, what size lot, what size panel in the house shall be. And maybe some of these people that spoke previously intentionally in favor of this, if you have a house next to a swamp or next to a pond, I suggest they practice what they preach. Knock their house down, fill in the cellar and move off. Or if they like to preserve swamps, I own several acres of swamp. I pay taxes on it. Not like this Nature Conservancy who pays no taxes. And those who are intentionally in favor of this, let them intentionally buy a few acres of swamp. Let them look at it, walk on it. Maybe they shouldn't walk on it and pay taxes and look at it again and pay more taxes and have the town to forbid them to do anything with it. Maybe that's what we need. I don't know what the h---... We've got enough laws in the town now. Do we get great pleasure in controlling of people."

Deputy Supervisor Gablenz, "Mr. Schmelzer, if you could bring your statement to a close please. You've reached your five minute limit."

George Schmelzer, "Did I have time out when he answered me?"

Deputy Supervisor Gablenz, "I included that Mr. Schmelzer. We'd appreciate that if you could bring it to a close."

PUBLIC HEARING, Continued

George Schmelzer, "I'd say forget it. Don't bother. We've got enough laws already. Or some people practice what they preach. I think some people get a real enjoyment in controlling other people. They're not Napoleon, they're sort of Hitler."

Deputy Supervisor Gablenz, "Mr. Schmelzer, we have to move on. Thank you. Mary Beth."

Mary Beth Andresen, "I applaude the town's designation of the critical environmental areas. I was personally involved in the Union Avenue study far before it was a study and I wish that the CAC had heeded my words at that time. I feel that this designation is long overdue. I certainly hope that if other areas appear to meet certain criteria, they too will be considered. And as was stated by Ms. Pollak, will prevent our town from going the way of Nassau County which at one time also contained critical marsh areas and estuaries and now are lost forever. Thank you for applying the brakes on this speeding destruction of our marshlands, tidal pools and glacial moorings."

Deputy Supervisor Gablenz, "Thank you. Mrs. Johnson."

Sherry Johnson, "First, for the information of the previous speakers; the Brookhaven Laboratory, the County Center, the Suffolk County Airport and Canoe Lake are already critical environmental areas. They were designated as such by the Suffolk County Legislature on June 3, 1987. I'm very pleased to participate in this hearing tonight. If I might, I'd like to quickly summarize how we got to this point. I think it's important because the original intention of this legislation was to bring our wetlands into the spotlight and that's where they are tonight. During my tenure on the CAC, I had the unique opportunity to see first hand just how much development was going on in our wetlands. The troubling aspect was that when we were called upon to do an inspection or to review a site plan, pool, deck, tennis court or even a new home, it was often too late to make recommendations that were necessary to fully protect the site. In some cases, CAC recommendations were ignored when the lots were created and then the best the CAC could do was to require their standard 50 foot buffer between new construction and wetland areas. It's one thing to compromise on lots that were created eons ago but it's really frustrated when the building lots in a newly approved subdivision aren't set back enough to provide for minimal protection for natural features. With an eye toward the future, I created a list of areas where environmental concerns could be given priority consideration over all else. Areas where perhaps the CAC could justify a larger buffer zone and in some areas such as Cases Creek, justify total preservation. Then three things happened simultaneously. The Union Avenue Associates subdivision, a project called Mill Pond Commons and I got involved in the Suffolk County Legislature's proposal to designate 76,000 acres as critical environmental areas. A simple CEA designation does not carry additional rules or regulations or change uses on land. It makes a statement. That statement is that the site which recieves this designation, is important. It is also a trigger mechanism that allows public involvement and thorough environmental review of an action in or adjacent to a site which has received this designation. Union Avenue and Mill Pond Commons were two projects

Sherry Johnson, Continued

that were located on wetlands that were on the list. They were on the verge of being approved without the benefit of full environmental review. Having participated in the county proceedings, I began research to determine if it was feasible to designate areas in Riverhead. The New York State Environmental Quality Review Act regulations provide the framework and guidelines for state and local agencies to (and this is a quote) "incorporate the consideration of environmental factors into the existing planning review and decision making process at the earliest possible time." One of the provisions of that review act allows is that a local agency may designate specific geographic areas within its boundaries as critical environmental areas. To be designated as a CEA, an area must have exceptional or unique characteristics based on one or more several criteria including, fish and wildlife habitat, forest vegetation, open space in areas of important or aesthetic scenic quality. There must be social cultural or historical or archeological, recreational or educational value. There must be an inherent ecological geological or hydrological sensitivity to change which may be adversely impacted by change. The 12 individual sites that are being considered for designation tonight are Riverhead's finest wetlands. They possess not only one but many of the necessary criteria. The two and a half mile along Saw Mill River is one of the most important wetland systems in the town. The corridor provides fish and wildlife habitat on Mill Brook base. It has cultural archeological significance and recreational and educational value. I have already recommended that a management plan be drafted for this river system. Site specific DEIS's will not provide the degree of protection it deserves. A CEA designation along its entire length is a step toward cumulative recognition of this resource. The health of our bay depends greatly on the health of the fresh and tidal wetlands of our creeks. These areas are spawning grounds and nurseries for newly hatched marine life. Those being considered include Terry's, Meethinghouse, Reeves, Cases and East Creeks. The 1973 Master Plan said of tidal wetlands. The tidal wetlands and marshes are very significant features in the ecological system that supports marine fisheries and migratory birds. They protect upland areas from the impact of storms and provide educational and scenic resources for the human community. A plan for the coastal areas was done by RPPW in 1983 and claimed that the fresh water ponds and areas north of the Peconic Bay Boulevard feed into the creeks and are part of the natural drainage system. These areas must be included in the CEA designation. The present guessing game that the Planning Board is using to identify the impacts of development and to mitigate those impacts must stop. The CEA designation here can be used to require extensive environmental review of subdivision proposals on these creeks. Furthermore, several of these creeks have been slated for acquisition by the Department of Environmental Conservation under their Environmental Quality Bond Act. Implementation of SEQRA will require the alternative of public acquisition of these sites to be fully explored. Additionally, in February of 1987, the Department of State designated portions of East Creek as a coastal fish and wildlife habitat. The tidal marshes of our North Shore at Iron Pier, Baiting Hollow and Wading River are also important habitats and spawning grounds for fin fish and shellfish. The Nature Conservancy owns 96 acres of the Wading River Marsh and has an ongoing acquisition project in place. Several rare plant species have been identified here

PUBLIC HEARING, ContinuedSherry Johnson, Continued

by the Natural Heritage Bondness. The Wading River Marsh was also designated as a coastal fish and wildlife habitat. Hallocks Pond located north of Sound Avenue on the LILCO property in Jamesport is unique. It is located directly on the Harbor Hill Marine and is a very important source of freshwater for wildlife in this area. The wetlands at Union Avenue were probably our best kept secret. A subdivision proposal projected this site into the spotlight earlier this year. The preserved area being set aside by the developer and the portions of the wetlands on adjacent property should be designated as a critical environmental area. The site is valuable as a wildlife habitat and for groundwater recharge. Just as many other sites on this list, the wetlands west of Kroemer Avenue were depicted as an environmental protection area in the 1973 Master Plan. This site consists of a chain of small ponds perhaps over 10,000 years old, a remnant of the last glacial activity on Long Island. The margins of these coastal plain ponds support communities of many rare and unusual plant species including various sages, grasses, spatular and thread leave sundews and bladderworts."

Deputy Supervisor Gablenz, "Sherry, you are over the five minute limit."

Sherry Johnson, "I'm just about done. Two of the twelve sites have been identified as harboring a state listed endangered species. This is one of those sites. The ponds which are surface expressions of the water table, have been documented as a breeding site for the eastern tiger salamander. Additionally, the site is within the Peconic River Corridor. It is a prestined setting and the CEA designation may help keep it that way. As you all reflect on the testimony that you have heard tonight, I hope that you will all come to the conclusion that these wetlands are important. That they provide many benefits and perform many functions including groundwater recharge, wildlife habitat, flood and stormwater control, natural pollution control and they have recreational, educational and aesthetic value. The New York State Environmental Quality Review Act states that. In adopting SEQRA, it was the Legislature's intention that all agencies conduct their affairs with an awareness that they are stewards of the air water, land and living resources and that they have an obligation to protect the environment for the use and the enjoyment of this and all future generations. Mr. Pike's concern and interests and sponsorship gave this legislation wings. I hope the rest of you possess the foresight to give it the give of flight. Thank you."

Deputy Supervisor Gablenz, "The hour is getting very late and I'm sure the Board wants to hear the comments of everyone. So if you could keep your comments to five minutes, I would sincerely appreciate it."

William Moffit, Wading River, "We belong to a beach club that owns land in Wading River and part of that land is the marsh. Years back we tried to increase the size of our parking lot. That was denied by the state, the DEC. We're still paying taxes on that land.

PUBLIC HEARING, ContinuedWilliam Moffit, Continued

I was very interested to see a little while back that the town got a fairly good sized parking lot and it was kind of annoying but we're still paying our taxes. I'd like to point out that the ecology is important and we recognize it. But so are people's rights and I think they have to be protected too."

Councilman Pike, "Sir, I'd just like to point out to you if you're not aware of it, that anytime you're subject to a restriction of wetland designation, New York State Tax Law provides you for a special status for reduced taxation based on the actual market value of the property. And I'd ask you and your attorney to look into that."

Deputy Supervisor Gablenz, "Yes sir."

Walter Binger, Aquebogue, "I'd just like to point out a little inconsistency in the matter. In the public notice in the paper, Union Avenue Associates which I'm most interested in the Union Avenue wetlands were circled for the water areas themselves. I come here tonight to find that the map has been changed or the outlines of the proposed areas have been changed to include the complete properties of this inland area. Is that correct or incorrect? Mr. Pike."

Councilman Pike, "I believe that's correct. I will be very clear with you. The original idea was that you would take the water line of the wetland and then go out 100 feet from there. If it were a freshwater area and 300 feet from there if it were a tidal area. That gets into a very arbitrary analysis where the wet line...."

Walter Binger, "More arbitrary then just taking dimensions of the land."

Councilman Pike, "Well, it's clearer. I'll finish my answer and then you can disagree. The regulatory agencies get into battles all the time as to whether or not you're in or outside of the jurisdiction. Those sorts of battles cause the sort of delays that developers don't want to have. By doing a tax.... I mean an actual lot designation, you have the advantage of clarity. You have the advantage of certainty. And if you're interested in knowing what you can do with your property, it assists with that. You will see as we go through the rest of Master Planning and rezoning the Town of Riverhead that the lines we draw will be lot lines to the extent that these possible consistent with good planning. I would suggest to you that the real is there is whether that particular piece of parcel should be a CEA or not."

Walter Binger, "Well, you see the definition of the boundaries is what I object to. Not the environmental impact of this piece of property. Fine, it's a wetland. Fine."

Councilman Pike, "How would you improve it?"

Walter Binger, "How would I improve it. Let's go back to Mr. Kasperovich in one of the first meetings. Within 500 feet of the boundaries or the extremes of the wetlands. Within 3,000 feet. Let's make it the same. I note on the walls some of the maps which are salt water wetlands, salt water creeks. Not that wall Mr. Pike. This wall. They are bordered, the water edges are on the borders. Yet the interior parcels are a complete parcel of land. Is that correct or incorrect?"

Councilman Pike, "I'm sorry. Is that a question? I thought you were making a statement."

Walter Binger, "Are the salt water creeks bordered on the edges as it's shown? Are those official maps on the wall?"

Councilman Pike, "They are intended to provide certainty. Whatever we adopt will be official maps. There are no official maps."

Walter Binger, "I don't want to be a bad guy here. I'm just trying to get something clarified. I just happen to have a little bit invested in this. I'm trying to figure it out. Your explanation at the beginning was excellent. When I came down here tonight I was not sure whether if I was not going to be able to develop within 500 feet nor again, let me point out that I haven't got a development company. My property is not for sale but it is my bank account and I want to know what's happening to it all the time. So basically what we've come down to is that what I feel, I object to it if you're going to say it is the total piece of property. One of which borders about 2,000 feet from the wetland. I mean if we're going to talk 100 feet from the edges, we're going to talk 500 feet from the edges. Let's make this a figure. Let's not arbitrarily say this parcel is in, this parcel is out. Now if the parcel is out, maybe closer to those wetlands is part of the parcel that's in. That's all I'm saying. If you're going to designate areas as environmentally sensitive, my pond is, my part, I don't own all of them, the pond is fine. Although, there are no endangered species back there although it was man dug deeper by humans about 20 years ago. It is not fully created by glaciers. But I want some sign of consistency in what you do. Ok. You either got to be 500 feet from the edges of the border not including the whole parcel. I would prefer that."

Councilman Pike, "Could you do me a favor after the hearing of showing me the particular problem on the map."

Walter Binger, "I only found the front parcel of my property. I can't find where the ponds are."

Councilman Pike, "Ok. But I'd like to personally address it and see if your particular property affects a number of people."

Walter Binger, "My first problem is this but I didn't want to take up the full five minutes or any more of it. My first problem is the public notice designated the edges of the ponds. I've come down here to find that you've designated the whole property and I want to know which is it going to be. Thank you."

07/17/88
PUBLIC HEARING, Continued

Deputy Supervisor Gablens, "Is there anyone else who wishes to address the Board on this matter? Mr. Schmelzer, look. It's 10:25. We're an hour and 20 minutes passed a public hearing. If you have a statement to make, I ask that you please keep it because I'm going to adjourn this public hearing. I will re-open it after I start and conclude the next public hearing. I have a lot of people who want to hear what has to be said with regard to that one. So let's get some people started and we'll get that one going."

George Schmelzer, "Are you going to give me five minutes?"

Deputy Supervisor Gablens, "No. I'm not giving you five minutes right now. If you want, you can save it until the end after this public hearing concludes. I will re-open this hearing and you can have your five minutes. I'm adjourning this hearing."

9:05 PUBLIC HEARING ADJOURNED AT 10:25

Deputy Supervisor Gablens, "Let the record show that the hour of 10:25 has arrived. The Town Clerk will please read the notice of public hearing."

BROAD COVE PUBLIC HEARING AND THE REMAINING MINUTES OF THE MEETING ARE CONTAINED ON THE FOLLOWING PAGES.

PUBLIC HEARING - 9:05 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, August 2, 1988 at 9:05 p.m. to hear all interested persons who wish to be heard regarding: The Extension of a Special Permit of Broad Cove.

Deputy Supervisor Gablenz, "Mr. Conforti, did you want to make a statement?"

Anthony Conforti, Attorney, "Representing the applicant. I would request that this Board incorporate into the record tonight all prior proceedings, applications, reports and correspondence that were taken into consideration by the prior Town Board and which resulted in granting of a special permit for the erection of 500 condominiums and 500 boat slips on August 6, 1985. The development of this parcel known as Broad Cove was first brought before the Town Board in the early 1970's. At that time it was one of the largest operating duck farms in the world. In 1975 a predecessor Town Board granted to the applicant at that time, permission to erect 500 condominium units. That permission was inclusive of 100 3-bedroom units and the rest to be dispersed according to the applicant's wish, between 2 and 1 bedroom units. The original permit had been extended from time to time by successive Boards until 1985. Prior to 1985, a predecessor Board required of the applicant full environmental review. So in effect, the applicant started the SEQRA process. We had two full years of review. We had a draft environmental impact statement. We had an update. We had scoping hearings and we had a final environmental impact statement. We had extensive public hearings both on the draft stage, at the scoping stage and again at the final stage. The prior Town Board in its wisdom and incorporating comments and requirements of the Department of Environmental Conservation, issued a permit. At about the same time, the Department of Environmental Conservation also issued its permit to the developer for 500 units and 500 boat slips. Encompassed within that permit, were permissions, various permissions to dredge canals, create waterways, etc. And I don't have to remind this Board that there has been a lot of controversy of late concerning the permit violation proceedings that were undertaken by the Department of Environmental Conservation against the developer on account of work done that was allegedly in violation of the permit. Today at about 6:30 after many hours of meetings and after some 9½ months of negotiations an agreement was reached with the Department of Environmental Conservation concerning the Broad Cove project. I will read to you a very short note that the regional attorney from the D.E.C. wrote to me and asked that I make public at this meeting. It says; tentative agreement has been reached. Details will be available upon execution of the consent order which should occur in September, 1988. The agreement addresses both penalties and restoration. To confirm, I can be reached tomorrow morning at the offices of the D.E.C. And it's signed Lori J. Riley who is the regional attorney. It's also counter-signed by Charles T. Hamilton who is the chief of the Marine Regulatory Section. Since the various permits were issued by this Board and the D.E.C. in 1985, Broad Cove was embroiled in a very lengthy lawsuit. What we call a provisional remedy of lis pendens was imposed against the property in connection with that lawsuit in 1985. Is that provisional remedy effectively prohibitive of

PUBLIC HEARING, ContinuedAnthony Conforti, Continued

either the sale or the mortgaging of this property? The lis pendens was finally lifted by order of Supreme Court in the Spring of this year. Thereafter, in reliance upon the permit and the conditions of the permit, one of which that the applicant was supposed to provide \$664,000 to the Sewer District for secondary treatment of the effluent that might arise when this project is built. In connection therewith, the applicant underwent a mortgage application process, closed the mortgage which would provide the monies to contribute to the Sewer District. In connection therewith, he expended over \$150,000 in closing costs. In the last 11 years since I've represented the developer of this project and I should say the owner, I have appeared before this Board a number of times. During that period of time, my client has paid approximately \$350,000 in real estate taxes to the town. Ordinarily, this type of application to extend a permit that was granted after full and fair environmental review, would be taken up at a work session of the Board and summarily passed. Because of the controversy surrounding the alleged D.E.C. violations, the Board in its wisdom, chose to schedule a public hearing. During conversations from time to time with various of the Board and with the officials of the Department of Environmental Conservation, it came to our attention, and I understand it was reported by one or two persons in a prior audience at a prior Town Board meeting, that work was going on at this site subsequent to a stop work order in October of 1987 from the D.E.C. In fact, no work occurred at this site since September of 1987, approximately one month before the official stop work order was issued. Because of the controversy, the applicant performed his own investigation. We determined that during the months of November and February, November of 1987 and February of 1988, in fact work was being done on property adjoining Broad Cove. That is in or around Overlook Drive. Some of the work was done by a gentleman by name of Dwayne Lewin who is here tonight and who I understand is going to address the Board to confirm my remarks. And I understand Mr. Lewin's work occurred in February at a time when it was reported that work was going on at Broad Cove. I also understand that the town or subcontractor of the town after installation of water mains down Overlook Drive in (I should say) last November, subsequently went to do road repairs on Overlook Drive. Which again, borders Broad Cove, in February of 1988. I suggest to the Board that those persons who reported violations or work on the Broad Cove premises saw work that was going on on adjoining premises and not on Broad Cove. I am rapidly approaching my five minutes. I would like to remind this Board that our forefathers adopted the Constitution with the rights of property owners in mind. There's going to be a lot of pressure. There's been a lot of pressure on this Board against the extension. I submit to you that this applicant has a vested right. He's entitled to an extension of the permit. And I ask you not to let public pressure dictate illegal zoning practices. Thank you."

Deputy Supervisor Gablenz, "Thank you. Is there anyone who wishes to address the Board on this matter? Yes ma'am."

PUBLIC HEARING, Continued

Jane Crabtree Stark, Leafy Way Aquebogue, "I appeared before the Board the very first time the application was made to say that I thought it was much much too big a development way back then. And these are too close to these wetlands. They are just perfectly beautiful, perfectly exquisite. There are herens in there and it's just magnificent. And it is in a wonderful location right across from the County Park. And the thing is an additional 500 boats with the necessary dredging to make room for the boats. The waste that they'll produce. The traffic. Plus the 500 units of housing, the fertilized lawns, irrigation for the lawns, paving, the drainage problems. These are all going to give a burden onto the fragile... We all know how fragile this whole Peconic Bay eco system is right now. And these extra problems draining right into the Meeting-house Creek and the Flanders Bay system will be a very very difficult problem. And I hope they find another use."

Deputy Supervisor Gablenz, "Thank you. Victor."

Victor Prusinowski, Pine Avenue, Aquebogue, "Good evening Town Board members. By the way, I do recognize you as a Deputy Town Supervisor legally adopted by the Town Board. I think a little history has to go on this property. A lot of things that the previous speaker said are probably true except that given the context of where we are today in the Town of Riverhead, I think that we have to review where we are and where we come from. First of all, as you know, it was the duck farm that my family operated for over 50 years. During that, we use to discharge into the Saw Mill Creek system 1.3 million gallons a day of untreated high nitrate effluent. In early 1960's, the State D.E.C. mandated that we start separating some of the effluent (which we did) into a primary treatment plant then subsequently into a secondary treatment plant and we reduced our flow to approximately 500,000 gallons per day which was pumped primarily from the ground water. We had a meeting at our bungalow in probably 1968 that I attended as a family member, with D.E.C. and the Wildlife people and they were thrilled at the fact that we were going to terminate the operation as a duck farm and go into an operation like this. It was pursuant to a lot of environmental controls. Subsequently, in 1969 my grandfather sent a letter to H. Lee Dennison offering the duck farm for sale to Suffolk County for one million dollars. Dr. Koppelman of the Suffolk County Planning Commission recommended that the County Board of Supervisors and subsequently the following year, the County Legislature buy the property along with the Warner Duck Farm and make it one big park system. At that time, they turned down our offer of which my grandfather contacted through our attorney, Seth Hubbard, who by the way, abstained on the vote because he was a member of the Planning Commission, to negotiate the price downward because we were interested in getting out of the duck business. We were turned down. As far as another alternative use for the property other than single family development of which was another option until the property has been mortgaged to the hilt, I didn't see any other option at the time. Also, there was only two zones in the Town of Riverhead that were zoned for condos even until this present day, strictly Business "A"

Victor Prusinowski, Continued

which was up on the Sound, Seawatch or next to Iron Pier and this piece of property. The zoning that's in place now for the other condominium project was a special overlay zone. As far as the congestion that might occur from this project, it's been thoroughly studied by the D.E.C. As far as the sewage treatment, it was addressed because all along even with the controversy with our Sewage Treatment Plant, the plan has always been to take our secondary plant and make it a tertiary plant and have most of the developers pay for that cost because it will be millions and millions of dollars to make that plant work as a tertiary plant. As far as the work on site, that has been addressed. I want to remind the people that right now in New York State, I was unable to attend the conference on Friday, I am a two boat owner person. I have holding tanks on both of my boats. I have no place to pump it out. There is a law on the books right now. And I told Legislator Blass that if he wants to do something about the pollution in Peconic Bay, enforce the law that makes us pump out our boats, our holding tanks, which no marina, we have a marina operator here tonight. The county facility has no place for us to pump out. If you want to do something, the Coast Guard was enforcing this law ten years ago. So when you say 500 boats, that's another issue. There is a law on the books now and instead of some politicians grandstanding about the issue, let's enforce the law now. I'm willing to pump out my boat at a pump out station. But you show me where unless I can pull up to the Scavenger Waste Plant, I would be more than happy to pump it out there if it's working which it is by the way. Well, that's another thing and we'll get into that later. That's what you read in the paper. The point is that this is a good project for the Town of Riverhead. If you're worried about the over congestion of the town, I support the upzoning of agriculture land to a proposal that Rob has finished with our task force. You can not look with blinders on and say; stop this project. You have to look at the total plan. The population density has been reduced by the upzoning of previous Town Boards, not anyone singly taking credit for it. If there's more work to be done, let's do it in a sensible way. This is a project that even Dr. Koppelman and the Suffolk County Planning Commission said that one of things that we have going for us in the Town of Riverhead is our tax base. I've said it before, is that you take advantage of a high value of the waterfront property to get the highest amount of tax revenue at the lowest cost per services in the Town of Riverhead. Single family development in the middle of farms is not a cost efficient way to develop this town. And you can not stop everything and say; well, let's have tax base. I support, just to save time, I support the previous public hearing on the designation of the sensitive zone. I think it's a clear single to developers what they're in for and it's a good way to proceed. I support the extension of this public hearing with the caveat that the full compliance with the D.E.C. violations if there were any, be fully enforced. And I think it's unfair that after 11 years, I think Tony has explained the legal ramifications that the property has been involved in. I'm very familiar with the financial burden of this property. It's mortgaged to the hilt way beyond what a developer will pay for it now to make single family developments. If you reject the extension of the special permit,

PUBLIC HEARING, ContinuedVictor Prusinowski, Continued

I don't even know what number of condominium units you could get somebody to develop this property. As far as public acquisition, unless you out right condemn the property which would be subject to appraisal, I don't see that as a viable option unless somebody wants to lay out X amount of millions of dollars. So with all those reasons, I urge you to extend this special permit on this project. Thank you."

Deputy Supervisor Gablenz, "Thank you Vic. Mr. Baker."

Paul Baker, "President of the Organization of Riverhead Civic Associations. We sent the Town Board a letter on May 5th regarding the extension of Broad Cove. The development issues just raised by Mr. Prusinowski, I believe could best be resolved by our Planning Department and perhaps even by our proposed land use plan that is presently under consideration. I believe the issues here are a little different than development and where to put development in the Town of Riverhead. Our organization has expressed serious objections to the request for a permit extension of the Broad Cove project. This summer's tragedies of sewage problems at Long Island beaches has brought our attentions to the obvious disaster awaiting those who do not study the environmental impacts of development on Long Island. Our town is actively studying our own waste treatment facility and we applaud the wisdom of such a study. Developers who seek to do business in Riverhead must be shown that our Town Board will not involve itself in backroom deals. Those who would destroy our resources will have to pay the cost for those damage studies as well as their remedies. We encourage to deliver this message. The last study for this project was conducted before the Brown Tide issue. If you extend this permit, a new impact study would certainly be the least the developer should do, especially a developer who's project has already been found to be in violation of our laws and destructive of our environmental resources. Thank you very much."

Deputy Supervisor Gablenz, Thank you. Do you have anybody else who wishes to address the Board? Mr. Bowman."

Chuck Bowman, "I'd just basically like to make a few brief remarks on our meeting with D.E.C. because I think there's some impressions here that need to be cleared up. This project, as Mr. Conforti has said, has gone through an extensive environmental review. It's already been approved. The wetlands violations were unfortunate. They shouldn't have happened. And rightfully, the applicant is going to be forced into making not only restorations but modifying the project to make the whole project better and more environmentally compatible. We're also going to have to have strict monitoring programs. And it's probably going to be the most stringent and most closely watched restoration project in the State of New York. I think that should be kept in mind. This project, I don't think the subject of whether the condominiums should have been approved in the first place, is a subject of this....."

TAPE ENDED

Chuck Bowman, Continued

....C.A.C. apprised as well as providing weekly reports to D.E.C. Mr. Conforti and I have given our personal guarantees that we will be supervising those restorations. And hopefully that carries a little bit of weight with the Town. But we will be deeply involved in it. And if you have any questions, certainly I'll be happy to answer them. Thank you."

Deputy Supervisor Gablenz, "Thank you. Mrs. Andresen."

Mary Beth Andresen, Aquebogue, "I am here this evening to state my opposition to the extension of a special permit of the Broad Cove application. The principal applicant illegally violated D.E.C. permits and his credibility must be questioned. I know this as a personal matter on another matter. This application contains a provision for 500 boat slips. Five-hundred boat slips must alert us all to further assault on Peconic Bay. We're dealing with the Brown Tide now. The Brown Tide was not known of when the original application was made. Until all the facts are illicit with regard to the causing agents to the Brown Tide, I feel that we can not entertain this application's magnanimous proportions. At the present time, we have approximately 600 commercial boat slips in the Town of Riverhead. One-hundred and seventy five in Larry's Lighthouse Marina, 155 in the Great Peconic Marina, 125 in Peconic River Yacht Basin, 100 in the East Creek Marina, 55 at the Moose, 17 at the Riverhead Yacht Club and 10 at the Woodhull area. And the discharging facilities for boat sewage as Mr. Prusinski pointed out, is poor at best. And although there are laws on the books for discharging human wastes, enforcement is not being maintained. This application will double the existing boat slips in our town and I feel it will impact our Bay with further polluting potential. For this reason, I strongly urge the denial of this extension until; one, further Bay studies can be compiled with regard to bacterial counts of ecoli and saminala found in human wastes, especially in the area of heavy boat dockage. And two, until a viable pumping station can be established, maintained and enforced and not provide any further assault on our sensitive Peconic Bay or our sewage treatment plant. Thank you."

Deputy Supervisor Gablenz, "Is there anyone else to address the Board on this matter? Mr. Schmelzer. Remember Mr. Schmelzer, five minutes."

George Schmelzer, Calverton, "Ok. Here goes it. I see no reason why not to extend it. It was done very thoroughly before. Why has someone... Has something happened? Why cut them off? Those who oppose it, let them get together and buy the land look at it. About Brown Tide, it use to be very handy to blame all kinds of tides of all kinds of colors on the duck farms. There's no duck farm to blame any tide on. It could be brown, green, white whatever. I saw (two weeks ago) at the Forge dam, a spread of several feet of brown stuff on the surface. It really stunk. It didn't look human to me but there's no duck farms there. Maybe the seagulls did it. I don't know. Maybe the swans. Anyway, it lasted several days. I told Mr. Janoski about it. I don't know if he did anything about it."

PUBLIC HEARING, Continued

George Schmelzer, Continued

About the beaches being polluted, I know of a fellow who wanted to go into the business of burning at a high temperature, hospital waste, so called red bag stuff. He went to Southampton, no way. He went to Brookhaven, the same thing. Nothing. And probably Riverhead would do the same thing. No town wants to give a permit to anybody to set up a burner to burn that stuff. Then they yell out loud it's terrible. We've got this hospital waste. Why don't they get rid of it properly? Where? So maybe the hospitals themselves can't get a permit to burn it. So that's one thing. But New York City if they dump in the ocean, they're exempt. They can dump the sludge all year long and nobody says a word. The ones that did the best job of preserving our waters for the colonial millers when they built a dam for a mill at Peconic Avenue. That's where it got the name from. Edwards Avenue way back into Manorville. An official of Easthampton Town, years ago, told me we've got to keep the waters in their natural state. I said that's good. The first thing you do is fill in the entrance to Montauk Harbor and make it a glacier lake again, freshwater like it was. Also, fill in the Shinnecock Canal and the Quogue Canal and the Shinnecock Inlet and make Shinnecock Bay a freshwater Bay again like it was in the colonial times. But that's terrible. No. Don't touch that. We won't touch that. We don't own that. You own that. So that's the way it is. If you wish to have less people around here, I say somebody should fill in the entrance to Shinnecock Inlet. You'd have less people coming out here and there wouldn't be any increase in population. Do you want to do that? What it cost for the expressway... I remember Seth Hubbard at one time, he's not with us anymore, he came to a Hunters Garden meeting explaining his idea of how essential it was to have the farm preservation program buying development rights. So when he got done, I said Seth, if you're Building Department was so concerned about farming, why did you always ask the state to put the expressway out in to the farming areas. Well, he went dah, dah. And I asked him again. I said, why did you recommend that? He said, the state doesn't take our recommendations. I said, I didn't ask you if they do or not. Why did you recommend that? He turned around and walked off. These planners create these things. If we didn't have the expressway here, people couldn't get out here. And even Mr. Koppelman, he recommended that the industry be put on the spine of the Island on both sides of the expressway. Then a couple of years ago they did a flip just like they did in the circus there and said, that's Pine Barrens. We can't touch that."

Deputy Supervisor Gablenz, "You have 30 seconds Mr. Schmelzer, 30 seconds."

George Schmelzer, "I'll reserve the 30 seconds for the next hearing."

Deputy Supervisor Gablenz, "Is there anybody else? Mrs. Johnson."

PUBLIC HEARING, Continued

Sherry Johnson, Manorville, "I was long winded last time. I'll be very short this time. I am against granting another extension for this permit. I feel that the 500 condominiums coupled with the 500 boat slips is just too much for the area to handle. Thank you."

Deputy Supervisor Gablenz, "Thank you. Yes sir."

Thomas Enright, Aquebogue, "Madam Chairman, members of the Board. This is my first Board meeting. I came out to live here some four or five years ago when my mother passed on. I'm somewhat familiar with the Broad Cove property and I'm somewhat amazed at the environmentalists and the lengthy dissertation that my predecessor went through. I think it's rhetoric. We've seen it before. I think that I would certainly prefer having 1,500 people rather than 15,000 ducks live on the Broad Cove property. I think it would certainly broaden our tax base. I think it would certainly generate income that is much needed for our retail stores. I think it would bring people who would use our restaurants, who would use our shops. It would bring parishioners to our churches. I think it would afford us a self-economic level of people, people of affluence who can afford that type of property. And I can not understand any legitimate objection to further development that this project would bring to this community. Thank you."

Deputy Supervisor Gablenz, "Thank you."

Jeff McGann, Aquebogue, "I live on Overlook Drive in Aquebogue immediately adjacent to the proposed development. I've never seen Mr. Enright before. I like what he said and I agree with everything he said. So he saved me a good minute and a half which I'm grateful. I'd like to say to Denise and Bob Pike, that I've been here before speaking in favor of this development project. And 9 years ago when I came to the community, Tony Conforti came here about the same time. Since that time, Tony has been my personal attorney and business attorney. I've come to know him and I can assure you that this man is a straight shooter and honest guy. He has never and probably never will, partake in any kind of a back-room deal. Through Tony, I've come to know Norman Felske who is the man who's dream is to develop this project. Norman is well known in the southside Quogue, one of the finest residential areas in the United States. Norman developed almost the entire northside of Montauk Highway and Quogue. And he's highly respected. I've been at many properties that he's built and he did a first class job. We're not dealing with lightweight men. We're dealing with men of proven skill here and honesty. And I'd like to say to you that the issue of boats pumping out, 500 boats pumping out sewage. The type of boats that are in Larry's Marina now and the type of boats that will be at a facility such as this, have modern macerating and chlorinating devices on board that do not pollute. We have swans in my front yard that as fast as you feed them, they poop. So the environmental issues. These guys have been through the hoop. They've been through the ringer. You're now at a point. Wally Binger said the key word here and I agree with him and I hope that other people, those of you who own property in the town, your property is an investment. For Wally, he said this is my bank

PUBLIC HEARING, ContinuedJeff McGann, Continued

account. I'm concerned. What are you doing? Where am I on this chart? His bank account, that's the key thing. This is Norman Felske's bank account. He's been paying taxes on this property for nine years. He's paid well over a quarter million of dollars in taxes. He has a right to develop it. It's good for our community. It's good for our businesses. Let's do it please. Give him the approval and let's get it going. This community needs a good condominium project on the water."

Deputy Supervisor Gablenz, "Thank you. Yes sir."

Cliff Schweinsburg, Sag Harbor, "Good evening. I don't live in the area any longer. I am a native of Sag Harbor. I now live what we call, up Island or use to call up Island. I wasn't going to speak tonight except for the last few minutes I've been hearing a lot of things that just bring to mind what happened to Sag Harbor. As a lot of people here probably know, in the last 20 years, development, for a lack of a better term, just drove me out of my own home. I can not afford.... I could not afford to buy the house or pay for the house that my father brought his children up in that he still has in Sag Harbor. When he dies, I will not be able to live there because of the change in the area. You want to bring in condominiums. You want more mercedes and bmw's in your parking lot instead of chevy's and fords, that's fine. I can't call this home any longer, 20 years from now when I'm the age of most of the people or 40 years from now. I won't be able to come back here. First of all, it won't look like anything. It's going to look like Smithtown and all the rest of them up there. The whole of Long Island is just going to be one great big shopping mall and development. I know I have no future left on Long Island. In the future I'm going to have to move off of Long Island to try to find any place that looks like anything I grew up in. If you people want to keep developing things, go right ahead. I wish you the best. But when I come back here to bury my father, I know I'm not going to recognize a damn thing except the mercedes and bmw emblems from all the people that come out and own the condominiums who make their money in New York City and then they come out here and they say; they're a Sag Harbor resident or a Riverhead resident because they just bought a condominium three years ago. If that's what you people want, go ahead. I leave it to you. Long Island isn't my home any more. I gave it up because I just can't fight it. And that's all I really want to say."

Deputy Supervisor Gablenz, "Thank you. Vic, if you could keep it brief though, we'd appreciate it."

Victor Prusinowski, "I don't come here every Tuesday anymore. So if you stay up to midnight, that's okay with me. All kidding aside. Two things I want to make a point of. I've heard this before about the guy and we're going to develop over Riverhead. Riverhead is not going to be like Smithtown. Riverhead is not going to be like Medford. Yes, I can guarantee it because the Town Board is in the process of doing further rezoning and we have done a lot more

PUBLIC HEARING, ContinuedVictor Prusinowski, Continued

rezoning in the last three years than most of the West End towns have. And I drive there all the time, Alice and I know. I don't want Riverhead to be like Medford or Coram because I'm there all the time now and it's not a nice place. But the point is that in 1973, again, we offered the farm to the Suffolk County Farmland Developments Program and it was turned down. So I mean there was an attempt. Two things I think you should know for history. The front of the farm is not natural. Only the 5.2 acres which is not going to be developed on the eastern western part, the northeast part of the northwest part of the property by the railroad tracks is going to be fully preserved. That is a natural wetland, a marshland. The front of the farm was pumped up in 1960 by the County of Suffolk along with the property across when Terry's Creek was dredged. So the front of the farm is not a natural wetland. It was all pumped up or manmade by my grandfather when we were required to fill in the farm's berms. This 5.2 acres is a natural wetland which is not going to be preserved."

Councilman Pike, "Vic, can I ask you so this sounds clear. When you say the front of the farm, are you referring to the island area out in the front?"

Victor Prusinowski, "That part right there has all been pumped up. That's not a natural wetland."

Councilman Pike, "What proceeded it? What was there?"

Victor Prusinowski, "There was a berm that extended probably, we have old area photographs if you want to look at them, there was a berm that went out 50 feet and it was just all pumped up. They built a big dike around it and they just pumped the whole thing and they filled it right up. That's why we have the settline beds in the pollution plant."

Councilman Pike, "When was that?"

Victor Prusinowski, "About 1960. The 5.2 acres though is a natural wetland and that was going to be preserved. And no. Riverhead won't be like Medford. I have a lot of confidence in our town government."

Deputy Supervisro Gablenz, "Thank you Vic. Mrs. Brown."

Betty Brown, NFEC, "The North Fork Environmental Council is here before the Board tonight to ask for denial of the requested permit extension sought by the Broad Cove Inc. Twelve years ago when the land was not as developed and the waters not as polluted, the Town Board saw fit to grant a permit for 500 condominiums and 500 boat slips along Hubbard Avenue and Terry's Creek. They wisely made available an opportunity for expiration every two years and for re-evaluation. These permits were prior to state environmental quality review act. And therefore, not subject to close review."

Betty Brown, Continued

Later in years to come, permits were granted for extensions. And Town Board decision makers in 1984, requested that an environmental impact statement be drafted for review. Later in 1985, an addendum attached. This statement was prepared by an architect and was submitted. I hope the Board has had an opportunity to peruse this report and ask you that if you have not had an opportunity, to please do so. This environmental review is so inadequate and deficient, it is tantamount to no review at all. We have tonight a project that is the single largest project in the Town of Riverhead located along our coastal shore that has been desperately threatened and a project that certainly may have an environmental impact and effect on our environment. And you, the decision making agency, has virtually information to allow you to take a hard look and make an educated determination. I ask the Board to focus on the lack of information available. I'd just like to take a moment and ask Board members questions. Will 1,750 people and a possibility of 1,000 cars result in an adverse impact on local traffic flow? Will this project alter drainage patterns on surface water runoff and substantially increase the amount of stormwater runoff? Will 500 boats add to the degradation of our Peconic system and the pollution we are now seeking to halt in our Peconic Bay? How many school children will this project generate and has the school system been afforded this information? In regard to cumulative planning, will these 500 units result in a major adverse impact on the environment when joined by several other major projects along our waterway. The North Fork Environmental Council submits that none of these questions can be answered. We ask that your obligation to deny this extension is paramount to good planning. Any new application must afford the community the public input that is so necessary to allow for a project that is consistent with community values. Due to the magnitude of this project, the pollution and the changes that have taken place over the passed 12 years and threatened by the diminished natural resources and the extensive massacre of our wetlands, North Fork Environmental Council urges you as does the citizen advisory task force on the Brown Tide, to deny this extension. I just wanted to make a few comments. It is my understanding from speaking to D.E.C. officials that there was definitely work going on at the site after October. And I just also wanted to respond to some comments that were made earlier. This is certainly a very unfortunate circumstance. In response to Mr. Prusinowski's comments, I hope, I sincerely hope that the comment; it's just not fair doesn't cut it with this Town Board that's charged with responsible decision making. Thank you."

Deputy Supervisor Gablenz, "Thank you. Mrs. Sykora."

Florence Sykora, Riverhead, "I'd like to know why we were just picked, Long Island, as the third worse place to live in?"

Deputy Supervisor Gablenz, "Mrs. Sykora, in a public hearing, what we do is receive comment, statements from the public."

PUBLIC HEARING, Continued

Florence Sykora, "I know. This is leading up to something. I can see where a lot of these wetlands and things are to be protected. But I think eventually as it keeps on going, I think what we're going to have to do is fence in the whole Town of Riverhead so that nobody can come in or nobody can go out. We can't walk in our wooded area any longer because we are scared to death of the little tick that is in there. We are. We fear it and we've had many in this area already that have come done with Lyme Disease. What are we going to do about that? Has anybody thought about why they are studying now the reason that a lot of women have breast cancer on Long Island? From what purpose? Could it have been from the pesticides that were spread around and when they flew the airplanes with the pesticide over the areas? It got into our water system. I think there should be something to study on that. Otherwise, let's close ourselves up and not bring anybody in here. Because if we do this, then I think the environmentalists should turn around and buy all this property and then pay us taxes for it because where are we going to get the money for this. Because if the town buys it, we're not going to get any taxes. So this is something that we have to look at. We have to look at where our taxes are coming from. Thank you."

Deputy Supervisor Gablenz, "Thank you. Mrs. Andresen."

Mary Beth Andresen, "I'll be brief. I'm certainly not afraid to walk in the woods. I'm a nurse. I'm very well acquainted with Lyme's Disease. And if you take a few precautions, you can be very safe. Just to comment on a few statements that were made since I got up to speak before. Mr. Felske is a speculator, nothing more. Speculation by dictionary definition is taking a chance on land or investments with the hope of windfall profits. It is not this Board's responsibility to answer the speculator's windfall profits. Especially those of Mr. Felske. And I might state that possibly the two gentlemen that spoke in favor of Mr. Felske, had vested interests in some sort of boating or marina type usage. Thank you."

Deputy Supervisor Gablenz, "Go ahead sir."

Thomas Enright, "Just a comment. I'll try to be brief. To put this young lady's comments at ease, I drive a 1976 plymouth. Not a mercedes. I have no vested interest in the property. I do know Mr. Felske. I've known him for years because I did have a summer home in Westhampton some years ago. I think I've improved my status by moving to the North Fork. I prefer it and I like it. I also happen to know that Mr. Felske has suffered Lyme Disease as a result of a tick on his property. I also would like to know whether or not the North Fork Environmental League is prepared to sustain the necessary financial needs of this community in the years to come. I understand from Mr. Conforti's comments that Mr. Felske has paid in excessive of a quarter million of dollars in taxes to this town. I don't know what contributions the North Fork Environmental League has made."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else? Yes sir."

PUBLIC HEARING, Continued

Ed Purcell, Riverhead, "As far as I'm concerned, I think we should go ahead and give the extension. The only thing that I have heard tonight that makes any sense that maybe we should address is what Mr. Prusinowski had said. Is that there is no place to drop anything off your boat, any waste. Now, if he would provide that for all the boat slips that he's going to have on his property, now that would be something that would be well to add to it. But anything else, I think it's getting a little ridiculous. Now, I do know that a lot of these wetlands weren't natural because I use to walk back there back in the '60's when they did fill in the berms and they did everything that Mr. Prusinowski said that the county did with the other farms. So a lot of these wetlands, although at the present time you would think there were natural, they are not. And I think it's getting a little ridiculous. We have to preserve wetlands. We have to do all this stuff. Fine, well and good. But the tax base has to be expanded. Where best to expand it would be in an area, although it is sensitive as compared to other areas such as these other 12 areas, are much less sensitive and will bring in people that are not going to add a large burden to our school system. I feel that because of the cost of the houses, of the condos there, they will not bring in a large burden to our community. They will just add to it. Thank you."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else who wishes to address the Board? Yes ma'am."

Louise Reeve Pollak, Riverhead, "I've lived in Riverhead township of all of my life. I was born in Upper Mills and I also pay taxes and quite a bit. And with all these condominiums and people moving out here and I see them. I work in a public facility in Riverhead. Am I not entitled to peace and quite and the enjoyment of the things I've seen all my life? Am I to put up with rudeness and too much traffic and see everything destroyed that I enjoy."

Deputy Supervisor Gablenz, "Folks, listen. If we could just keep the comments with the speaker."

Louise Reeve Pollak, "All I ask that it should be reviewed carefully and not bring out.... Some of the people want to bring out droves of people and it's to make money and nothing else."

Deputy Supervisor Gablenz, "Excuse me. You have to address the Town Board."

Louise Reeve Pollak, "I'm almost finished anyway. To bring out droves of people and condominiums, I know people need places to live. But the people living out here for years and years, also have the right to enjoy the rest of their lives out here and not feel they can't afford it or they can't stand the noise and everything else that goes with it. So they have to move out. Thank you."

Deputy Supervisor Gablenz, "Thank you. Mr. Binger."

Walter Binger, Aquebogue, "Basically I've heard some comments here and I'm kind of getting an opinion on this situation. I am for the extension of the Broad Cove Duck Farm. Not so much for the sake of the developer but for the sake of the people being able to use the

PUBLIC HEARING, ContinuedWalter Binger, Continued

land that they purchased and planned for. And if the rules change along the line, I don't know why that person has to live with the new rules. In my own case, we talked about it. I hocked myself to my ears eight years ago to come to Riverhead. I bought a farm from my father-in-law that was way over our heads and very expensive. I bought it with Business "C" zoning. I bought it with one acre residential property. I bought it with existing water that I could use for the farm. And since then, I've given up my Business "C" frontage to "CR" 30% lot coverage. I have given up my "CR" 30% lot coverage for "CR" 15% lot coverage because of environmental groups, because of civic associations, because of people who own their own parcels of land and want their own little safe town to be left alone. I am of the opinion that if Broad Cove Duck Farm has, and I'm in the construction business (by the way) not that this has anything to do with it. If Broad Cove Duck Farm has developed a plan to use this property that's five years old and can't for some reason bring it to fruition, then I don't know why we changed the rules in the middle and don't let them finish it. And why environmentalists all of sudden find salamanders on ponds that people didn't know exist and there was just one recently in Southampton where there was a mud turtle and the mud turtle, since it strayed 500 feet from the pond to lay it's eggs. Therefore it made it an environmental sensitive area 500 feet and they stopped the zoning. Those kind of things might be necessary. But if it's just to stop people from coming out, if it's just to stop traffic, the thing is to address the traffic. Route 25 is an antiquated road. I've said that a long time ago. I've said it ten times at Town Board meetings, everything related to development. Route 25, as I well know, I live on Route 25. It took me five minutes to cross to get my kids to the school yard. Five minutes and I'm not kidding. That was Saturday. We've got to address the traffic problem. We've got to get the people through Riverhead. Half of them don't stay in Riverhead. Half of them go to Cutchogue, Mattituck, Greenport. They're all developing too. Not just Riverhead. A lot of the traffic that everybody has been irritated with can be bypassed through the town. They don't stop. They don't go to Wendy's. Alright. Basically let me finish up. Basically there is a right to the land you purchase. It's zoned when you bought. The zoning changes and it changes and it changes and it's the right of everybody. And this Town Board and I know they do it, has to consider the property owners rights also not just the majority's right all the time. Ok. Thank you."

Deputy Supervisor Gablenz, "Thank you. Vic. Very short Vic. I don't want this to become a debate."

Victor Prusinowski, "I'm sorry to come up again. But there's just too much in the papers that is erroneous information. Let's talk about there was 22 duck farms in 1970. The average duck farm discharged over 500,000 gallons of water. This is not fiction. This is fact because we use to attend conferences. George can tell you. We had meetings with the D.E.C. There were reports. There was data. There was more untreated nitrates going into the Peconic Bay system in 1970 than there is today. Now as far as the Brown Tide, there has been no scientific.... I don't like the Brown Tide. I don't

PUBLIC HEARING, ContinuedVictor Prusinowski, Continued

like the way the Bay looks now. There are other factors involved besides just the sewer plants. But as far as making a statement that says, 12 years ago. You weren't out in the Bay 12 years ago Betty and some of the people that just moved into this town. I was there. The water was not that great 12 years ago. It was not that nice in the Bay because there was a lot of odors in the Bay and there was a lot of high nitrates throughout the Peconic Bay system, especially in Flanders Bay. Number two, the developers should not get a break. The developer should pay the price. They should follow the rules and there should be no acceptations and I'm not here pleading for Norman's financial status. If he goes bankrupt because he doesn't get approved, that's not the public's fault. That's his fault because he is a speculator. So nobody is out here making backroom deals. We're here to say what is right and what is wrong and what is good for the Town of Riverhead. And if there's too many people moving into town and you don't want that much population, then rezone the rest of the town as we've been proposing for two years to do. Follow the plan and let's get it done and stop the uncertainty. But you just can say; stop this, stop that. You have to have a plan and we're working on a plan. Now, if there is a better alternative for this property, let somebody else say it. If you want to have it bought as a park, then float a bond in the town for 5 or 10 million dollars and buy the property. If you want to go to Suffolk County, then do it. They're trying to buy Robin's Island and they're haggling over the price. It's going to cost 5 or 6 million dollars. And believe me, Robin's Island is worth a lot more than this piece of property. And this property is mortgaged more than Robin's Island. So I'm not saying... You have to look at the reality of the situation. Thank you."

Deputy Supervisor Gablenz, "Thank you. Are there any other speakers? I declare this hearing closed."

9:05 PUBLIC HEARING CLOSED AT 11:20

Deputy Supervisor Gablenz, "I had adjourned the hearing from 8:55. Is there anybody who has not previously spoken that wishes to speak on that hearing? That was the designation of the critical environmental areas. That being the case, I declare that hearing closed. We still have work to do guys. We can proceed with the resolutions. If you'd like to stay, that's what we're about to do. We are on number 493."

8:55 PUBLIC HEARING CLOSED AT 11:22

Resolutions #493 - #526 found on pages 896-950
of 1988 Resolution Book.

#505 INCREASES PAY OF DETENTION ATTENDANT.

Councilman Pike, "We regularly use the services of individuals who attend to prisoners, particularly female prisoners in the lockup in the basement of the police station. They are increasingly difficult to find. We are raising the price to what the market currently requires to get the service."

- #518 DETERMINATION THAT ALL IMPROVEMENTS AND EXPANSIONS OF SEWER PLANT WILL BE SUBJECT TO: COMPETITIVE SELECTION OF ENGINEERING CONSULTANT.

Comments: (See Sewer District Minutes).

- #519 SEWER DISTRICT VOLUNTARY WATER CONSERVATION AND RESEARCH LEADING TO A GOAL OF 20% REDUCTION IN WATER USAGE.

Comments: (See Sewer District Minutes)

- #520 RETENTION OF CORNELL UNIVERSITY WATER RESOURCES INSTITUTE.

Comments: (See Sewer District Minutes)

- #521 ACCEPTS OFFER OF TECHNICAL ASSISTANCE FROM COUNTY OF SUFFOLK.

Comments: (See Sewer District Minutes)

- #522 REJECTING RECOMMENDATIONS OF MAY, 1988 ENGINEERING REPORT FOR THE PECONIC RIVER DRAINAGE BASIN.

Comments: (See Sewer District Minutes)

- #523 REGARDING COMPLIANCE WITH MORATORIUM IMPOSED BY N.Y.S. DEPARTMENT OF ENVIRONMENTAL CONSERVATION ON SEWAGE TREATMENT PLANT HOOK-UPS.

Comments: (See Sewer District Minutes)

- #524 RESOLUTION DECLARING SUFFOLK COUNTY VDT LAW INVALID IN THE TOWN OF RIVERHEAD.

There being no motion to move resolution #524 and without a second, there was no action taken on resolution #524.

See following statement of Councilman Boschetti.

Councilman Boschetti, Inasmuch as this resolution was received after last work session and therefore had no discussion and since this is a topic that was undertaken by the County Legislature which endeavored to get as much information on this topic as possible through written documentation as well as testimony before it and since we have not had opportunity not only to examine any of it but to consider it... And furthermore, since there are serious legal questions about this particular resolution and what it intends to do, I will not move this resolution."

Deputy Supervisor Gablenz, "We're done. Thank you very much for your patience. The meeting is concluded."

There being no further business on motion or vote, the meeting adjourned at 11:52 p.m.